

REFUGEE CONSULTATION

HEARING
BEFORE THE
SUBCOMMITTEE ON
IMMIGRATION AND REFUGEE POLICY
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

CONSULTATION BETWEEN CONGRESS AND CABINET-LEVEL REPRESENTATIVES OF THE PRESIDENT, ON THE PROPOSED REFUGEE ADMISSIONS FOR FISCAL YEAR 1983, IN ACCORDANCE WITH THE PROVISIONS OF THE REFUGEE ACT OF 1980

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REFUGEE CONSULTATION

WEDNESDAY, SEPTEMBER 29, 1982

U.S. SENATE,
SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY,
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 3:28 p.m., in room 2228 Dirksen Senate Office Building, Hon. Alan K. Simpson (chairman of the subcommittee) presiding.

Staff present: Richard W. Day, chief counsel and staff director; Donna Alvarado, counsel; Arnold Leibowitz, special counsel; and Jerry Tinker, minority counsel.

OPENING STATEMENT OF HON. ALAN K. SIMPSON, A U.S. SENATOR FROM THE STATE OF WYOMING, CHAIRMAN, SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY

Senator SIMPSON. The hearing will come to order.

Welcome to you, Mr. Attorney General; nice to have you here always.

I very much appreciate your help and assistance throughout this entire issue of immigration and refugee matters. You have been of immeasurable assistance. So today we are gathered in accordance with the provisions of the Refugee Act of 1980, which calls for a "consultation between the Congress and Cabinet-level representatives" of the President in setting an annual refugee admission level and we meet today to consult on the proposed admissions for fiscal year 1983. I am most pleased to have you here, and also Kenneth Dam, Under Secretary of the Department of State and currently the Acting Secretary of State, as Secretary Schultz is involved heavily in the U.N. proceedings in New York; David Swoap, the Under Secretary of the Department of Health and Human Services; and Ambassador Eugene Douglas, U.S. Coordinatory for Refugee Affairs.

Before we go into discussion on the administration's proposed figures and allocations, I would like to express some of the views and concerns of the committee with regard to the refugee program.

We are committed to providing our assistance to the homeless and persecuted throughout this planet. I think we are very proud of our leadership in that area and Americans have a very fair sense of our love of freedom and our willingness to promote and share that with people throughout the world.

But I do not think we can be expected to contribute more to refugee assistance than the rest of the entire world combined. And of the major recent refugee groups seeking permanent resettlement,

the United States has accepted the vast majority. We have taken in 70 percent of the Indochinese, over 600,000 since 1973; we have accepted 850,000 of the 1 million Cubans who have fled the Castro regime since the early 1960's; we accept about 75 percent of the Soviet Jews who manage to obtain exit permits from Russia, and we have admitted substantial percentages of the Nicaraguans, the Poles, the Lebanese, the Ethiopians, Iranians, and other nationalities seeking a permanent haven from persecution and that is the American way.

Additionally, we continue to be the largest donor to refugee groups receiving assistance in countries of first asylum. Those include 2 million Africans, 2.7 million Afghans in Pakistan as well as the Indochinese in Thailand and finally now we ourselves are a major country of first asylum and we currently have over 110,000 persons within our shores who claim they cannot return to their homelands because they would face persecution.

Our total annual output for domestic and international refugee assistances comes to \$1.7 billion. So I think that we show our leadership in those ways. And clearly, Americans expect to do their fair share and I believe they really sincerely wish to continue to do so.

However, I think it is obvious that our efforts to internationalize this responsibility must be greatly increased. Now, of course, we come to the issue of numbers again, and I regret that we have to always come down to numbers when we are actually talking about real live human beings in that process; but that is where we are.

Now, we have the proposed level of admissions for next year, being 98,000, including 68,000 for Indochina. That represents certainly a marked decrease from last year's consultation level of 173,000, although it is close to the 1982 actual admissions of about 99,000.

What this committee is seeking, and hopefully we can find today, is an admissions level which would reflect as honestly and candidly and as nearly as possible, the actual anticipated admissions without setting some kind of a quota or target to be filled just because it is there. We do not want to have a figure that is inflated solely for foreign policy reasons or to cope with possible emergencies which can be addressed very appropriately under the emergency provisions of the Refugee Act.

However, we do not want to deliberately reduce that figure by an inequitable or unfair admissions decision. Whatever this admissions level, we have to be certain that there are sufficient funds to pay for it all; that the funds have been allocated for the proper resettlement of these refugees into our communities and that we can pay for those we agree to take without question. We must assure that the States and localities who are the most generous in accepting those refugees do not face an extraordinary fiscal burden for these people who have been admitted through a Federal policy.

So that is the task before us. You know as I do how tough it is and I look forward to your testimony as we begin this important consultation process.

Thank you.

STATEMENT OF HON. WILLIAM FRENCH SMITH, ATTORNEY
GENERAL, U.S. DEPARTMENT OF JUSTICE

Mr. SMITH. Thank you very much, Mr. Chairman.

As is usual in this area, we subscribe to nearly everything you have just said. As a matter of fact, I should say that we subscribe to everything that you have said, as will be shown, from my remarks here.

I am pleased to appear before the committee today to discuss the administration's proposals for refugee admissions in fiscal year 1983. The discussions today, and over the next weeks, occur in a season of this Nation's life when our country's ability to accept foreigners to our shores, whether as immigrants or refugees, in a rational and humane manner has by some been called into question. This Nation's generous instincts, borne of the immigrant past we are proud to recall, has in some quarters yielded to skepticism and doubt. In large part these concerns arise from the evident fact that we have failed to control illegal immigration to this country. And losing control of our borders to the illegal immigrant has thrown a cloud over legal immigrant and refugee admissions.

This committee has over the past 2 years thoughtfully and comprehensively addressed the questions of illegal migration, asylum, and legal immigrant admissions. The fruit of that effort, the Immigration Reform and Control Act of 1982, passed the Senate on August 17 by the overwhelming bipartisan vote of 80 to 19. Broadly similar to the legislation submitted by the administration 1 year ago, the reform bill will permit this country again to have control of our borders, by deterring illegal migration and regulating legal immigration within fair and realistic limits. This bill, of which the committee and especially Senator Simpson, whose name has become synonymous with immigration reform, can be justly proud, is in the finest bipartisan tradition of the Congress.

As you know, under the able guiding hand of Chairman Rodino, H.R. 6514, the companion bill in the House, was last week reported favorably by the House Committee on the Judiciary. We must now seize the moment and enact this most important reform legislation before the Congress adjourns. There are few issues of greater importance now facing our people.

We meet today to consult concerning a different, but as I have noted, a closely related subject—refugee admissions to the United States.

When I appeared before the committee last year, I stated the importance that the administration attached to these consultations, carried out under a still new law whose efficacy was yet not fully tested. I want to commend the committee for the thoroughness and understanding with which it has pursued its responsibilities under the Refugee Act. I can say without hesitation that administering the act has depended critically on this committee's discharge of its consultative role.

I would hope also that we in the administration have demonstrated over the course of the year our commitment to true collaboration with the committee, both in setting admissions ceilings and in administering this important program. Others here with me today will report more fully on the past year's progress and chal-

lenges that remain, but on behalf of the President, I want to thank you for your most able work.

Regrettably, continued conflict in and among nations has left the world with sustained refugee problems that continue to implicate important humanitarian, foreign policy, and domestic concerns of the United States. The President's proposed refugee admissions reflect our best judgment concerning these sometimes competing considerations. Moreover, as I reported to you last year, in reviewing our program of refugee resettlement, we have thoroughly assessed alternative means of assisting international relief efforts. These include the possibility of voluntary repatriation to the refugee's country of origin, resettlement in a country of first asylum, and resettlement in a third country other than the United States. As a last resort, we admit our fair share of the world's refugees, as part of a genuine international effort.

This is not to understate the important humanitarian and foreign policy interests served by our refugee admissions program. There are certain refugees who are of particular concern to the United States, either by virtue of previous association with this country, of relatives who are already here, or for other reasons. The admission of such persons is the subject of our discussions today.

The U.S. Coordinator for Refugee Affairs and the three agencies charged with administering the refugee program—the State Department, which manages the overseas processing and initial reception and placement of refugees in the United States; the Department of Health and Human Services, which administers the domestic assistance aspects of the program and the INS which interviews and approves each applicant for refugee admission to the United States—have all been working together to insure that the goals of our refugee program be met. These goals are: that the principle of first asylum be preserved; that refugees admitted to this country qualify under the definitions and criteria established in the act; and that those resettled in the United States achieve integration and independence within our society as quickly as possible.

In addition, the administration has been particularly concerned with another aspect of coordinating refugee policy among our various agencies—that equal weight be given the domestic resources available to resettle refugees before deciding upon our admissions recommendations to the Congress. We think our proposals for refugees this year meet these requirements.

This year the President has recommended the admission of up to 98,000 refugees for resettlement in the United States for fiscal year 1983.

Foreign policy and humanitarian considerations have led us to propose that this number be divided among the appropriate geographic regions in the following manner: 3,000 refugees for Africa; 68,000 refugees for East Asia; 17,000 refugees for Soviet Union and Eastern Europe; 8,000 refugees for Near East and South Asia; and 2,000 refugees for Latin America and the Caribbean.

In addition to the proposed admissions, the Immigration and Naturalization Service will consider adjusting to permanent resident status up to 5,000 persons who are granted asylum in the

United States and have been in the United States for at least 1 year, pursuant to title II, section 209(b) of the Refugee Act of 1980.

I wish to stress that the proposed refugee admissions numbers are ceilings and not a quota. We propose to admit up to that number of refugees, but it is certainly possible that the final number admitted for fiscal year 1983 may be less than 98,000. The underlying principle is that refugee admissions to the United States is an exceptional discretionary act by the United States for those who have no alternatives. It is not the right of a refugee to be admitted to the United States simply because a program has authorized spaces available.

Before turning to my colleagues to make their presentations, I would like to make several points concerning the proposed refugee admissions.

First, as in the past several years, refugees from Southeast Asia will continue to claim the largest share of our potential admissions in 1983. While Ambassador Douglas will elaborate on this point, I would note three conditions justifying this still extraordinary level:

First. The continued repression accompanying the violent reorganization of the Indochinese societies still forces large numbers of persons to flee persecution;

Second. Southeast Asian refugees have among the strongest ties to the United States of any refugee population;

Third. Owing to ethnic and cultural animosities in the region, they are among the least accepted in countries of first asylum; and the inability of the first asylum countries to absorb these refugees would result in major foreign policy problems if this situation is not addressed.

In comparison, the proportion of refugee admissions allotted to the countries of Latin America and Africa reflect a positive circumstance—the hospitality and generosity with which these countries accept and care for refugees.

Second, I wish to reiterate that one of the major concerns of this administration is that refugees admitted to this country become independent as soon as possible, and that we do not admit more refugees than our domestic resources permit. With the high levels of refugee admissions in recent years, considerable domestic difficulties have arisen in the resettlement process, accompanied by increasing levels of dependence on cash assistance. Additionally, the refugee admission levels have important budgetary implications both for the Federal Government and for State and local entities as well. This is a matter of concern and careful attention by all concerned agencies and by the President. Proposed admission levels have been set as low as possible in light of urgent foreign and humanitarian policy considerations.

Third, I want to assure the committee that steps have been taken in the course of the last year to insure that the definition of "refugee" contained in the Refugee Act is being administered in a rigorous and even-handed manner.

As you recall, the question whether certain refugee applicants satisfied the act's definition has been a subject of considerable discussion both within the administration and with the Congress. After reviewing the act and its legislative history, I determined that refugee applications must be reviewed on an individual basis,

and determinations made only after such a case-by-case inquiry. Following periodic consultations with this committee and after interagency discussions, guidelines were issued to govern refugee processing and to guarantee their uniformity worldwide.

Fortunately, Mr. Chairman, many refugee problems can be resolved without the resettlement of large numbers of people in third countries like the United States. The development of effective international relief organizations has encouraged countries to continue offering first asylum and to permit humane care for refugees until voluntary repatriation or local settlement is possible.

We expect, however, that the number of refugees in the world will continue to grow in the coming decade of this century.

Resettlement in the United States or other third countries is not the answer to the refugee problem. It is only a partial solution of last choice. We must continue to put pressure on those countries who create refugees, and who expel large numbers of their own populations in an effort to forestall change or eliminate political opposition.

This administration is committed to a humane refugee policy, but also recognizes that large-scale migration and resettlement will not solve the injustice and suppression of human rights that is the root cause of massive refugee problems we are seeing in the world today.

In closing, Mr. Chairman, I want again to stress the importance that the President attaches to these recommendations. Certainly, our Nation faces serious problems of both legal and illegal immigration. This administration and this committee take these problems seriously and have acted vigorously concerning them. At the same time, the admission of refugees under the collaborative control of the Refugee Act, though a small part of the overall immigration picture, is a major element in the U.S. leadership of the free world.

The administration is committed to preserving our Nation's traditions of tolerance and freedom, and our willingness to accept to our shores those fleeing oppression. And thus we welcome the opportunity to consult with you under the terms of the act that reflects those enduring principles.

Mr. Chairman, with me today, to join in responding to any questions that you may have, are Kenneth Dam, the Acting Secretary of State; David Swoap, Under Secretary of the Department of Health and Human Services; and Gene Douglas, the U.S. Coordinator for Refugee Affairs.

As you know, our refugee program is thoroughly interdisciplinary, reflecting a host of foreign relations and domestic concerns; and I will, if I may, ask my colleagues to join me at this time.

Senator SIMPSON. Please. That would be very appropriate. But as I know that you have a heavy schedule, Bill, rather than take the testimony of these three gentlemen, I will inquire of you several questions first so we can help you meet your other engagements.

Mr. SMITH. Thank you.

Senator SIMPSON. Then we will come to the other three gentlemen; it is good to have you all here and welcome to the consultation hearing.

We hear frequent allegations made that refugees now leaving their homeland are fleeing not because of the "well-founded fear of persecution on account of race, religions, nationality, or membership in a particular social group or political opinion" which of course, is the definition under the U.N. protocol and under our refugee law as defined in the Refugee Act but rather that these increasing numbers are leaving for other reasons. Such reasons as to escape from governmental repression, if not outright persecution admittedly, from economic depressions, civil strife, plain fear as I have described it; and although justifiable indeed, these reasons in themselves would not qualify a person to enter the United States as a refugee. In your view, have there been any changes during the past year in the characteristics of the refugee populations being considered by the INS for admission to the United States; and could you please describe that for us?

Mr. SMITH. Of course, Mr. Chairman, the principal challenge that the INS has in this area is to determine on a case-by-case basis whether those persons who present themselves have a well-founded fear of persecution in the country from which they came, and to which they would otherwise return or whether they are what are generally referred to as economic migrants, people merely seeking a better life, or, perhaps living under more severe circumstances, but not rising to the level of persecution.

In terms of the people leaving Indochina, as an example, the farther we get away from the U.S. involvement in that area, the more remote the relationship becomes between refugees and the United States; as a result, we are finding more and more that those who are presenting themselves for a refugee determination are relying on occurrences and events that took place 4, 5, or more years before. Whereas shortly after the Vietnam war was concluded the connection between a good many of these people and the United States was much closer.

As you know, and as I indicated in my opening remarks, this question of how that matter is determined, came up about a year ago and at this time we examined very carefully what the requirements were concerning the determination of this question, that is, whether or not it could be done should be done on a case-by-case basis, or whether it could be done in a more generic way. We determined at that time that under the law, it had to be done and should be done on a case-by-case basis, and that is the way it is now being done.

Senator SIMPSON. That does please me. I know it will other members of the committee, the case-by-case adjudication procedure, and that it has been implemented overseas. We have heard a report or two that the refugee definition is not applied to the same degree to all refugees in all regions.

For example, it has been indicated that adjudication of the Khmer refugees in Thailand is more rigorous than for Vietnamese refugees in Malaysia.

What is your comment about that? What steps might be taken to assure that we have equity in the application of the definition of refugee?

Mr. SMITH. Mr. Chairman, the definition is to the extent that it is humanly possible applied worldwide. Needless to say, when you

are dealing with a subject matter of this kind, there are bound to be a host of variables. As far as the Khmer are concerned, stricter tests are not being applied that are being applied in other areas.

We have accepted some 66 or 67 percent of those from that area, which compares very favorably with other areas of the world. In Poland, for example, the approval rate is about 64 percent. The suggestion that a more rigid or tougher test is being applied to the Khmer is simply untrue.

Now, it is certainly true that the conditions and the factors that bear upon this kind of decision will vary widely from one area to another and one of the real challenges of the Service is to apply the test as uniformly as it can be applied, under circumstances which do vary widely around the world.

We think overall that that test is being applied in a very fair and humanitarian manner.

Senator SIMPSON. The administration is suggesting this admission level of 98,000, of which 68,000 would be from Indochina.

Could you please inform the committee whether this is the number that we would actually admit or whether the administration would seek to so call manage the flow below that level as was done this past year where we had a consultation level of about 140,000 and an actual admitted level of about 99,000?

Mr. SMITH. Neither we nor—I think I can speak for the State Department on this subject—look upon these figures as a quota. They are genuinely a ceiling. They are the authorized admissions.

The number that are actually admitted turn on the numbers that present themselves and who have met the necessary test. That fact is illustrated by the experience of last year where some 40,000 positions were not filled. That number is explained in part by the flow, as you have indicated, and in part by the actual developments with respect to the Soviet Union. The number of persons who came out of the Soviet Union, who were permitted to come out, were far fewer than had been estimated. That accounts for almost half of the 40,000 unused places; the other 20,000 attributable primarily to Indochina, were directly the result of the decreased flow and of specific determinations.

Senator SIMPSON. But you do feel that within this interdisciplinary group that you refer to, State, Health and Human Services, and the coordinator, that all are concurring we do not have this problem of using the phrase quota or maximums, or that type of definition here?

Mr. SMITH. It is strictly a ceiling as far as we are concerned and I think that that represents the common thinking of all the agencies involved.

Senator SIMPSON. One other thing came up during the informal consultation process with the voluntary agencies which are a very important part of this entire question as we all know, and the international organization is to improve the training of INS officers charged with making the refugee admissions decisions. The Commissioner of the INS was very helpful in defining to us what that entails; particularly cross cultural training and training in assessing the political conditions in the countries of origin, not only from a State Department definition but from every other definition.

Will INS be taking any new steps in 1983 to expand the training of these officers, since obviously the case-by-case method is something that you have committed yourselves to?

Mr. SMITH. Yes. As a matter of fact, a good deal of attention has been paid to this entire area of training, both with respect to new officers and agents as well as those who are now in the field and employed.

For example, we have a 90-day training period for new employees of the Service that would be involved in this kind of an activity. We have an on-the-job training program which extends from time to time around the world beyond the special training program being instituted in connection with the training of new asylee officers. This is a very important function right now, in view of the backlog that we have, as you mentioned in your opening remarks.

In addition to that, of course, there are various kinds of training materials that are utilized, some made available to us by the Department of State with respect to conditions in the various countries; others having to do with how the requirements and the limitations of the Refugee Act are to be applied—all, of course, in the interest not only of instruction but to develop as much uniformity as we can in performing this function around the world.

Senator SIMPSON. Could you just briefly share with us what that training consists of?

Mr. SMITH. Well, we have a program in Glynco, Ga., which is designed to deal specifically with the asylee question and we also are now making a particular effort to further train those who are on the job and who know the ropes but who need to be constantly refreshed, so that this whole program can be, to the extent that it can be, administered on a uniform basis.

Senator SIMPSON. What is the average length of time for an interview?

Mr. SMITH. Well, we estimate that an officer, let us say, in Indochina, will interview possibly 11 cases a day, and each case would average possibly four or four and a half persons. We have seven officers over there performing this function; and if you make appropriate allowances for time off and so on, which would mean, let us say, that five would be on duty performing this function at any one time, we could process about 5,000 cases a month.

So we anticipate that for the last 3 months of this calendar year, we will process approximately 15,000 people.

Senator SIMPSON. That is of interest to the committee because we are concerned we move promptly in processing refugees who are of special humanitarian concern. Of the 20,000 Khmer initially identified by the various voluntary agencies and the State Department as meeting that priority criteria, in March, about 5,000 of those have been processed and the refusal rate has been about 45 percent.

Just a couple of questions.

Are those case-by-case procedures causing any delay in processing these people?

What is the significance of the refusal rate for the Khmer at that level?

Do you have any idea how many of the 20,000 that were initially identified might prove eligible for refugee status in the United States or even for permanent resettlement in the United States?

Mr. SMITH. Well, that is not a correct refusal rate. I think you said 45 percent. Actually, it is 34 percent.

Senator SIMPSON. With those people, I understood it was 45 percent with the Khmer.

Mr. SMITH. No. It is 34 percent and as I indicated before—

Senator SIMPSON. I will take judicial notice of your statement.

Mr. SMITH. It is about 66 or 67 percent who are being approved and we are, in connection with our processes, substantially improving our productivity. As you know, the INS was, for all practical purposes, leaderless for a long, long time and now that we have a good management team in place, we think that we can substantially improve our productivity across the board, including a speeding up of the processing of these various applications.

Senator SIMPSON. Indeed, you do have a very competent team there in INS and I commend that management. Well, just a couple more questions because you hit, when you talked about a consultation affecting four and a half persons or something of that nature, the issue of family members and I would ask you, what percentage of the Indochinese refugees admitted to the United States since 1980 have family members in the United States? With this overwhelming domination in the refugee program by family reunification, which is very important, and a critical part of our immigration policies, how would you respond to the statements made by some that our refugee program is indeed a type of back-door immigration program?

Mr. SMITH. That is a very difficult problem.

As you know, the Refugee Act itself provides for family reunification even though the family members are not—do not meet the test of refugees themselves. So if you do have a refugee who is admitted, then under the law there is provision for family reunification. There is no doubt that this is an area which could be abused, in which case you could have, as you say, a back-door immigration program which would be unfair to those who have waited in line to legally obtain their visas under the legal immigration provisions.

Ultimately there has to be a judgmental call in each individual case, but I believe that we have to be very careful to make sure that the basic purpose of the Refugee Act is carried out and that it is not used as a back door or subterfuge for immigration, which is unfair to others who are standing in line waiting to be admitted.

Senator SIMPSON. One final question. I know your schedule.

What is the nature and the situation with our present role as a country of first asylum? Throughout the proceedings of the last year, we know that we had 2,000 to 4,000 petitions for asylum and then it went up to 105,000.

How many new asylum applications have been filed this year and how is the progress going in adjudicating that backlog of asylum applications? Could you give us the approval and rejection rate there, and how many of those might have been appealed after rejection.

Mr. SMITH. Well, we actually have now about 123,000 cases backlogged, which is a huge number. As you have indicated, prior to

1979, the numbers that came here as a country of first asylum were somewhere between 2,500 and 5,000. With the Mariel boatlift and the Haitian migration the numbers became staggering compared to what they had been. We anticipate that if the legislative program is enacted, that is, our immigration package actually is enacted in substantially the form that it is now in, that the legalization provisions would take care of somewhere around 55 percent—something over half of this number of 123,000. The balance would have to be reviewed on a case-by-case basis.

One of the reasons we have fallen behind to the extent that we have is the intervention of the courts in some instances. The issuance of injunctions has prevented us from proceeding in as timely a manner as we would have liked.

In terms of what percentage are likely to be accepted and what number are likely to be rejected, that is a very difficult question to answer. Once again, it has to be determined on a case-by-case basis. While we could come to some generalizations based upon the group background, that is a little hazardous.

Senator SIMPSON. Well, that is very interesting to see that figure now at 123,000 from the 106 that I have been quoting. It just gives me all sorts of new information.

Mr. SMITH. I think the figure you were quoting was June and I think the larger figure was later in the summer.

Senator SIMPSON. That has not been caused by any dalliance by our fellow members of the bar, has it; all of that activity in that area?

Mr. SMITH. Well, I might say, Mr. Chairman, that I am sure that Commissioner Nelson and others, can elaborate on this, but in 1983, we are giving priority to processing asylum claims with the specific purpose in mind of reducing that backlog; and we think that if all goes well during 1983, with that priority, we can make a very substantial dent in that number.

Senator SIMPSON. Interestingly enough in the debate on the floor, when we were discussing caps, which eventually we will always come back to in legal immigration, we never really inserted the figure of asylees or prospective backlog there which adds a dimension that needs to be computed in future work.

Mr. SMITH. It is a significant number.

Senator SIMPSON. Indeed.

I want to thank you very much and I have taken more time than I had intended but I deeply appreciate your support and assistance in this grisly activity that I am involved in.

Thank you very much.

Mr. SMITH. I certainly want to express once again our gratitude to you for the tremendous role that you have played in this. I doubt very much if it could have happened had it not been for your concern and interest in this area.

Senator SIMPSON. Well, thank you.

Now, I am very pleased—and thank you again, Mr. Attorney General and, David, you are going to get to Pittsburgh; you are all right. Tomorrow? Well, you will get there by tomorrow, certainly.

Now, we are privileged to have the Honorable Kenneth Dam, who is the Acting Secretary of State. Now, that is an interesting role for you in this 2-week period while the Secretary of State is in

New York with his U.N. duties and so I welcome you here. We also have the Honorable David B. Swoap, the Under Secretary of Health and Human Services. I know of you and your capabilities. It is a pleasure to have you here, and, of course, our Ambassador, Gene Douglas, U.S. Coordinator of Refugees for the Department of State.

So if you each would proceed, in that order, and give your statement, I will not turn this on—indicating lights—which is a remarkable thing.

Oh, and Alan Nelson; yes, I remember you.

Mr. NELSON. I snuck in here, Mr. Chairman, at Ambassador Douglas' request.

Senator SIMPSON. Are you going to back him up?

Mr. NELSON. I hope so.

Senator SIMPSON. Well, it is nice to have you here and more appropriate, I recognize the fine things you are doing in the management, and reorganization of the INS, long overdue, necessary and frustrating, I know. But we will go in this order with each of you presenting your statements, and then we will come to questions that I will just bounce around among the four of you.

Thank you.

STATEMENTS OF A PANEL CONSISTING OF: HON. KENNETH W. DAM, ACTING SECRETARY OF STATE, U.S. DEPARTMENT OF STATE, HON. DAVID B. SWOAP, UNDER SECRETARY OF HEALTH AND HUMAN SERVICE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, AMBASSADOR H. EUGENE DOUGLAS, U.S. COORDINATOR FOR REFUGEES, U.S. DEPARTMENT OF STATE, AND ALAN C. NELSON, COMMISSIONER, IMMIGRATION AND REFUGEE POLICY, IMMIGRATION AND NATURALIZATION SERVICE

Mr. DAM. Thank you, Mr. Chairman.

As you know, I was confirmed as Deputy Secretary of State just last week so it is a special pleasure for me to have my first open hearing before this committee, because not only am I a lawyer but it is a committee that in private life I have appeared before on a few occasions; so in a sense I feel right at home here.

I am pleased that this is the first subject I have testified on, because I have had some personal and frankly heartrending experiences in this area, not with the formal program but with individual refugees. To me it is an intensely personal question when one talks about refugees. It is also a foreign policy question, and that is what I would like to talk to you about, the foreign policy aspects of this issue.

I have submitted my statement for the record, and I would like to just talk briefly about a few points.

First of all, I do appreciate the opportunity to consult with this committee on a program of such vital concern to our foreign policy. The program is a measure of our compassion. It is in the nature of our country to be concerned about the refugee problem. It is also very important in the foreign policy arena where the refugee program makes an important contribution to world stability and to our foreign policy objectives.

The suffering—the human suffering—that arises from refugee problems is a serious threat to stability in many parts of the world and frankly a serious threat to peace. We just need to look at the Middle East to see how peace can be threatened by refugee problems.

I think also that the relationship between this country and Southeast Asia has an important dimension, the way in which we have found homes and helped refugees from that area find productive lives in our country.

We are fully aware of the burdens placed by refugee admissions on communities in this country. This is a burden which other countries have shared, where we have, I think, played a particular role of leadership. There are some 7.5 million people in the world that are regarded as refugees. The administration's approach under the Refugee act, is first of all to seek voluntary repatriation to the country of origin for refugees. Where that is not possible, we seek to find resettlement in the region where the refugees have their own homes. We look to the U.N. High Commissioner for Refugees to take the lead. We help to support the efforts of the United Nations in that respect through voluntary contributions and through our actual physical cooperation with respect to refugees.

The funds that we provide tend to be a way of relieving the burden on our country of the actual admission of refugees, while at the same time relieving the suffering of the individuals involved.

Despite these efforts, it is simply a fact that third country resettlement is the only viable solution in many instances. The neighboring countries where the refugees may first go are not always a place where refugees can escape retaliation of some kind. Often countries are only willing to take refugees for limited periods of time under first asylum principles, and a further third country has to be found for them. It has become a very internationalized activity in the past few years because of these conditions. You mentioned earlier some of the problems that have been faced here in our country by our doing our share in solving this international problem.

Let me talk just a little bit about the numbers, the admission ceilings which we are here to consult with you about. The overall number is 98,000 and, of those, the great bulk come from East Asia. We are recommending the admission of 68,000 Indochinese refugees under these ceilings. The most important country involved is Thailand, a country in which we have a very great foreign policy interest.

The Thais have done a superb job in taking on a very considerable flow of refugees under a first-asylum principle. But it is important for other countries to pitch in and take those people off their hands if they are going to be prepared to continue their practice in this regard. Moreover, Thailand itself has plenty of serious problems, and it is important to keep faith with the Thai people by continuing to ease the burden on them. They are housing a great number of refugees now, and it is essential that we continue to take refugees off their hands to maintain the stability of that country and their willingness to continue to maintain first asylum.

The flow from Thailand has been diminishing and will continue to diminish. It is our judgment that, taking into account other East

Asian refugees, 68,000 is the number that we should have for our planning purposes for the coming year.

Another area is the Near East and South Asia. Here the numbers are considerably lower. For the Near East and South Asia, the number is 8,000. The number of refugees there is enormously greater than that, particularly Afghan refugees. At least 2.7 million Afghan refugees are now in Pakistan. We are providing substantial assistance for these refugees, but there are very few Afghan refugees that we anticipate admitting to the United States. We are doing our fair share there of providing aid, but only a tiny percentage of the total number of refugees in that area will be coming to the United States.

I have already referred to the Palistinian refugees and the funding that has been used in that area. In Lebanon, in particular, we have now earmarked \$39.5 million for emergency relief and \$66 million for long-term reconstruction. The reconstruction of Lebanon is an important issue, and I am now talking about the current situation with regard to funding.

Smaller numbers are proposed for Africa and Latin America; 3,000 for Africa and 2,000 thousand for Latin America. Somewhat larger numbers are recommended for Eastern Europe and the Soviet Union. We contemplate for Eastern Europe, other than the Soviet Union, about 11,000, which would include about 8,000 Poles. About 6,000 are proposed from the Soviet Union, the great bulk of whom would be Jewish.

In connection with these numbers, we plan to try to strengthen our domestic program by attempting to distribute these refugees more evenly throughout the United States, and by trying to promote self-sufficiency through employment and, in general, to do whatever we can to ease the strains that resettlement places on the refugee and on the host communities.

Our refugee programs play a vital role in our foreign policy at the same time that they continue a humane tradition which I believe all Americans have a right to take pride in. We believe that these proposals are, as the Attorney General said, ceilings; they are not quotas. At the same time, they represent our judgment as to the minimums that is needed if we are to encourage continued efforts of other countries. I believe that they are not unduly high and that they take full account as we must of the great burdens that are placed upon our States and communities by the refugee program.

In short, I believe that the proposed levels are prudent and they are balanced. I hope that in this consultation we can discuss these matters, and that in the end, we will have your concurrence.

Thank you.

Senator SIMPSON. I thank you very much for your testimony and look to participating with you in the future.

Mr. DAM. I would be pleased to take any questions that you have.

Senator SIMPSON. I think I will take the other statements, but we have a rollcall vote and apparently I think it will be the last one for a while. So let me go over and vote. I did not want to have any witness testifying before my shrewd staff member, Richard W. Day,

and he would do it though; he would do it. But we will have a 10-minute break and no cigar smoking while I am gone.

Thank you.

[Brief recess.]

[The following was received for the record:]

PREPARED STATEMENT OF KENNETH W. DAM

Mr. Chairman and Members of the Committee:

These annual consultations are held with the purpose of reaching agreement on the admission of refugees into the United States during the coming fiscal year.

The world refugee problem remains quite serious, affecting the lives and health of many people in most parts of the globe. Approximately 7.5 million of the world's people in 1982 are refugees -- and the great majority of these people have been in that unfortunate status for many years.

The potential consequences of leaving a refugee problem unresolved are illustrated by the recent strife in Lebanon.

In Southeast Asia, there have been continuing, though diminished, refugee flows from the communist-dominated states of Indochina.

In Europe, the imposition of martial law in Poland on December 13, 1981, served, in effect, to make refugees of many thousands of Poles residing temporarily in Austria and other countries of Western Europe.

Long-standing patterns of discrimination and persecution in the Soviet Union continue to cause Jews and other minorities to assert their human right of emigration, although restrictions imposed by the Soviet authorities caused sharp reductions in permitted emigration from that country in 1982.

Aggressive Soviet policies are also responsible for the continued massive exodus of Afghans fleeing the occupation of their homeland. More than three million Afghans have taken refuge abroad, over 2.7 million of them in Pakistan.

It is no accident of history that the countries from which most refugees flee continue to be those under communist domination or leadership, for it is in those countries that the basic aspirations of life -- which we sum up in the term human rights -- are most persistently violated.

It is inescapable that the U.S. has a vital leadership role to play in this grave situation. But let me stress that this role does not necessarily require refugees to be admitted into the United States, except in cases involving particular foreign policy imperatives or in situations of special concern. The prudent management of refugee programs worldwide should make it possible to reduce significantly the numbers of refugees in need of third-country resettlement. This has been a major objective of our policies in the past year and an objective, I can report, shared by the United Nations High Commissioner for Refugees (UNHCR) and by the international community as a whole.

The most desirable resolution of a refugee problem, of course, is for the refugees to be enabled to return--voluntarily and freely--to their homelands. Frequently this cannot take place in the near term, but with time the situation that caused refugees to flee may change sufficiently to permit voluntary repatriation.

The High Commissioner and we believe that refugee situations should be resolved, wherever possible, in the place or region where the refugees themselves have their roots. In

many cases a neighboring country has links of geography, language, and ethnic character which ease the acceptance of refugees when they arrive and may facilitate their longer term integration. The world community and the refugees are thus spared the costs and difficulties of resettlement in distant countries and different cultures.

We acknowledge the major contribution of the countries providing refuge. These countries provide land, access to roads and infrastructure, and public health care and often even confer citizenship or other legal status upon refugees. They need and deserve the help of the concerned international community.

International Relief Efforts

In 1982, and again in 1983 and future years, a higher portion of the total U.S. funds allocated to refugee programs will go for care and maintenance of refugees in camps and other temporary settlements. Where feasible and acceptable to the host country, funds support more permanent facilities to ease the transition to durable solutions.

We cooperate with like-minded countries in sharing the financial and material costs of refugee assistance. Burden-sharing is central to a successful international approach to refugee assistance. We look to the UNHCR to take the lead in defining and organizing assistance programs that respond to the needs of the refugees and of the host countries, to preserve the possibility of voluntary repatriation, and to look ahead to effective long-term solutions.

We also work closely with other international bodies -- the World Food Program, UN Childrens Fund (UNICEF), the World

Health Organization, the International Red Cross, and, for the Palestinians, the UN Relief and Works Administration (UNRWA). Through them, as well as directly, we provide support to a broad range of private humanitarian organizations.

Some of the major on-going assistance programs that we help support include:

- Thailand and Kampuchea. Since 1982, the World Food Program has taken the lead in meeting food emergency needs on the Thai-Kampuchean border and inside Kampuchea. Although the numbers of Khmer at the border remained substantial, the rate of new arrivals has slowed to a trickle.
- Pakistan. The Government of Pakistan deserves high commendation for its key role in assuring basic life support for 2.7 million Afghan refugees inside its borders. The UNHCR is the lead agency for the international community, coordinating the programs of some 28 voluntary agencies.
- Central America. The U.S. contributes one-third of the support for UNHCR and World Food Program operations which assist El Salvadorans and Nicaraguans who have taken refuge in Honduras and other countries of the area.
- Africa. The largest share of our assistance programs for refugees is allocated to Africa. In Somalia, CARE and Save the Children are key operating arms for the UNHCR and cooperate closely with the Government of Somalia. The US funds a number of special projects in such fields as education and health for African refugees, and is a leading

contributor to the International Committee of the Red Cross (ICRC) program which reaches refugees in areas of armed conflict and civil strife, such as Chad and Angola.

Our total refugee relief assistance programs will claim some \$270 million in FY 1982 and \$248 million in FY 1983, in addition to Food for Peace (PL-480, Title II -- \$75 million in 1982). The amounts provided to these programs are essential to enable the United States to carry its share of the costs of assisting refugees who have found asylum in various regions of the world. By enabling refugees to be cared for in areas near their home countries, these funds reduce the need to resettle refugees in distant places, including the United States.

International Resettlement Cooperation

Situations continue to exist, however, in which third-country resettlement is necessary, and in which the US and other nations will continue to be called on to admit refugees who cannot return to their homeland without fear of persecution. The US will be asked to do its fair share, but the responsibility for accepting refugees for resettlement outside their regions is one which properly falls on the entire international community.

During the past year there have been continuing actions directed at maintaining a wide range of resettlement opportunities. The UNHCR has conducted special consultations on resettlement of refugees from Indochina, encouraging states that previously accepted Indochinese to maintain or restore their programs. Significant numbers of Indochinese continue to be accepted by Australia, Canada, and France. Some countries taking smaller numbers -- Switzerland, for example -- accept refugees needing long-term medical care and rehabilitation. Several governments contribute to a pool of numbers to facilitate the resettlement of refugees rescued at sea by foreign flag ships.

Resettlement has been internationally shared for non-Indochinese as well. The Federal Republic of Germany has granted refuge to large numbers of ethnic Germans from the Soviet Union and Eastern Europe, as well as Poles unable to return to their homeland. Australia and Canada continue their generous admissions programs for refugees from Eastern Europe and the Soviet Union. Efforts continue to arrange resettlement for refugees in Latin American and other developing countries.

Third-country resettlement is not easy. Countries which in the past accepted larger numbers now find it necessary to restrict admission, for economic reasons similar to those facing the United States. All the traditional refugee receiving countries are facing increased domestic costs for refugee resettlement at a time of economic trouble.

Proposed Admissions Levels

The admissions levels we are proposing for FY 1983 represent our considered effort to balance our international obligations with the constraints of domestic impact. The numbers recommended for FY 1983 are as follows:

East Asia	68,000
Africa	3,000
Soviet Union and	
Eastern Europe	17,000
Latin America and the	
Caribbean	2,000
Near East and	
South Asia	<u>8,000</u>
Total	98,000

As the Committee knows, these numbers continue the downward trend for proposed admissions in recent years. In Fiscal Year 1981, some 158,000 refugees were admitted to the U.S. This was 57,000 fewer than the 215,000 who arrived in FY 1980. Admissions in FY 1982 are expected to be 98,500, almost 60,000 fewer than in FY 1981, and some 42,000 below the admissions ceilings agreed to in the past year's consultations. Far from seeking to expand refugee admissions, we accept only refugees of special concern to the U.S., who meet our admissions criteria, for whom there are no alternative solutions, and whose admission is required by compelling foreign policy considerations.

East Asia

There continue to be urgent foreign policy reasons for the proposed number of admissions from East Asia -- 68,000. The countries of the area offering temporary refuge remain under heavy domestic pressure to limit the numbers of refugees in their territory. Some of the Indochinese refugee groups also kindle historic ethnic and political tensions.

The countries of the Association of Southeast Asian Nations (ASEAN) have been our partners in handling the Indochinese refugee problem. They share our interest in reducing the refugee influx and have cooperated with us toward this end. They now fear, however, that the efforts of resettlement countries are diminishing faster than the problem, thus leaving the ASEAN nations with a significant permanent refugee population. Thailand in particular has indicated that in such circumstances it might change its first-asylum policies.

Given the current downward trend in new arrivals in countries of East Asia, our proposed program--combined with those of other resettlement countries--should result in a continued reduction in the refugee population and thus help maintain first asylum. As in the past, we will make every effort to operate our Indochinese refugee resettlement program at prudent levels.

The Vietnamese military presence in Kampuchea and Laos is a constant military threat to the area. The United States has a special concern for the refugees from Indochina. We have supported programs to reduce the refugee flow, such as the food program for Kampucheans on the Thai-Kampuchean border and inside Kampuchea. We also support UNHCR-supported voluntary repatriation programs for Kampucheans and Laotians. We have acted to reduce any possible magnet effect of the US program by limiting our admissions to refugees in first asylum countries who have relatives in the U.S., or who have demonstrated past ties to the United States. Voice of America broadcasts make clear the reduced scope of the U.S. program. We believe our new narrower processing priorities enable us to select for admission those refugees for whom resettlement in the U.S. is truly the necessary option.

At the same time we have made clear our readiness to accept increased numbers of Indochinese through the Orderly Departure Program (ODP) as refugees, or, for those who qualify, as immigrants. (About one-quarter to one-third of those admitted in 1982 entered the U.S. not as refugees, but with immigration visas.)

We would like to see ODP expanded. It provides a means to process some eligible political prisoners from so-called "re-education camps" -- many held since 1975 under grim

conditions in what amount to concentration camps. Many of these persons were associated with former governments of Vietnam or with U.S. programs in the area.

We are also prepared to process Amerasians--the children of American fathers and Vietnamese mothers. Amerasians will be admitted either as refugees, or under proposed legislation providing relief for such cases.

While we have reduced the numbers of refugees coming to the U.S., we have expanded and improved our overseas programs to prepare refugees for self-sufficiency. About 88 percent of all working-age Indochinese refugees coming here now receive extended English-as-a-second-language training and cultural orientation (ESL/CO) in the Refugee Processing Centers (RPC's) in the area -- at less than one-half of the cost of such training in the U.S. Some 17,000 refugees approved by INS in FY 1982 are now in the RPC's and will be moved in FY 1983 as part of the FY 1983 admissions.

We are also strengthening our medical screening of refugees in Southeast Asia with improved follow-up measures, where needed, by local public health officials in the U.S. It is clear that the costs of treating medical problems overseas are significantly lower than the costs of comparable treatment after refugees arrive in the U.S.

Africa

The 3,000 refugees proposed to be admitted from Africa enable us to relieve pressures in specific areas and to assist refugees who cannot be cared for in the region. This would include certain skilled, urban refugees who cannot be

assimilated in rural areas; former political prisoners needing the security of resettlement abroad; and other refugees requiring third-country resettlement for political or other reasons. Many of those expected to apply for admission to the U.S. are Ethiopians, with small numbers coming from Southern Africa and other areas. We are responsive to the concern of African leaders that overseas resettlement programs not encourage a "brain drain" of persons whose skills are needed in Africa.

Soviet Union and Eastern Europe

Our proposed ceiling for refugees from Eastern Europe and the Soviet Union is 17,000. These refugees have long been a special concern of the United States, and have benefitted from various admissions programs since the end of World War II.

The declaration of martial law in Poland on December 13, 1981, created a new situation for refugees from that country. Many Poles found themselves in Western Europe when the Polish authorities moved against the liberalizing tendencies represented by the Solidarity trade union movement. Uncertain of what awaited them if they returned to their country, many Poles obtained refuge in countries such as Austria, the Federal Republic of Germany, France, the United Kingdom, and the Scandinavian countries. Although most have chosen to remain in these countries, a substantial number -- estimated at 18,000 for FY 1983 -- are expected to seek resettlement in third countries, about half of them in the United States. In addition, a small number of political detainees are being released by the Polish government and permitted to travel to Western countries, including the U.S.

Events in Poland overshadowed the situations in other Eastern European countries, but there continues to be a substantial refugee flow from them as well. Although predictions are uncertain, we project a total flow from Eastern Europe other than Poland of 10,000 in FY 1983, of whom half are likely to seek admission to the U.S.

Our concern for refugees from the Soviet Union is also longstanding. In the past year, the Soviet authorities have further restricted the emigration of all groups. The number of Soviet Jews arriving in the West fell below 4,000 in FY 1982, and there are renewed reports of harsh treatment of Jews seeking permission to emigrate. Family reunification continues to be the only officially accepted reason for emigration from the Soviet Union; most of the small number of Jews permitted to leave do so on visas for Israel, even though many of those departing or seeking to leave want to settle elsewhere. There have also been sharp reductions in the numbers of Armenians departing the Soviet Union, and this group too is limited to cases of family reunion. Fewer than 400 Armenians reached the U.S. in FY 1982, and the numbers for these and other groups in FY 1983 are likely to continue at a low level, barring major changes in the overall state of U.S.-Soviet relations.

Latin America and the Caribbean

In Latin America substantial numbers of refugees and persons displaced by fighting and civil strife have received refuge in neighboring countries. We are recommending that a maximum of 2,000 refugees be admitted to the U.S. We have played an active role in supporting UNHCR programs of care and maintenance in Latin America. Most of those affected by the strife do not, however, require resettlement outside Latin

America, thanks to the longstanding tradition of granting asylum within the region. Our programs are designed to encourage and support that tradition, while relieving situations of special concern by admitting persons such as former and current political prisoners, immediate relatives of refugees already in the U.S., and persons in especially compelling circumstances. One such group consists of former political prisoners from Cuba who have found temporary refuge in Spain and Costa Rica. Through a considered balance of assistance and limited admissions, our refugee programs can continue to contribute to the peace and stability of the area.

Near East and South Asia

The Near East and South Asia area is characterized by large refugee populations requiring assistance, and relatively small numbers in need of resettlement. The proposed admission ceiling for the region is 8,000.

Over three million Afghans have left their country since the Soviet invasion of late 1979, the vast majority of whom are tribal people who look forward to the possibility of repatriation and, therefore, prefer to remain in Pakistan or Iran. In these circumstances, the primary response of the U.S. has been to support the international relief programs being implemented by the Government of Pakistan with the help of private voluntary agencies. The admission of a small number of urban Afghans to the U.S. is carried out on an individual basis and is limited to those with close family or other ties to the U.S. This program helps to support the Pakistani policy of providing refuge for the tribal refugees.

Iranians constitute another group forced to live in exile from their homeland. Tens of thousands left Iran following the overthrow of the Shah and the rise to power of the Ayatollah Khomeini. Many have found refuge. A large number have been admitted to the United States on humanitarian parole or long-term non-immigrant visa status. A limited number of Iranians who have a fear of persecution under the current regime in Iran are included under our Near Eastern and South Asian refugee admission ceiling during FY 1983. Those admitted under this program would have to (1) meet the definition of a refugee, (2) still be in a transient status, and (3) have close associations with or relatives in the U.S.

We also expect to continue to admit small numbers of refugees from other countries in that region who have faced persecution or have a well-founded fear of persecution in their homelands. The U.S. will continue to provide major amounts of assistance for Palestinian refugees, and we are contributing major amounts for reconstruction efforts in Lebanon itself. We have earmarked \$39.5 million for emergency relief in Lebanon and an additional \$66 million for the long-term rehabilitation and reconstruction of that country.

Domestic Program

Our most important objective in the coming year is to strengthen and improve the domestic aspects of our refugee programs.

The Departments of State and Health and Human Services have developed a placement policy designed to achieve a more rational distribution of refugees in the United States. The policy results from consultations with private voluntary

agencies, with state and local governments, and with concerned national organizations. Its adoption follows actions taken by the voluntary agencies themselves to limit the placement of refugees in areas of high impact: places where there are large concentrations of refugees and high public assistance costs.

This placement policy anticipates provisions of the Refugee Act Amendments by limiting the resettlement of new arrivals to areas outside the high impact zones. Exceptions continue to be made for close family reunification cases, but the policy would bar anchor relatives on welfare from serving as sponsors. Although the high proportion of family reunion cases among new arrivals will moderate the impact of the policy, this will be offset by the expected lower rate of arrivals, which by itself will reduce the numbers going to the areas of highest concentration.

The Department of State has initiated a program of direct monitoring of performance by the voluntary agencies under its Cooperative Agreements. This program would involve on-site visits to American cities to review agency performance and gather information on the role of other programs, public and private, that assist the resettlement of refugees. The monitoring program has the objective of assuring full implementation of the services specified in the Cooperative Agreements and effective utilization of the Reception and Placement grants. We also have reviewed the accumulations of funds held by some agencies as a result of the Reception and Placement grants. The agencies have provided additional information on these funds and their plans for using them to assist refugees. Tightened procedures regarding the use of these funds will assure their timely expenditure for programs of direct benefit to refugees.

We continue to work closely with the Center for Disease Control (CDC) and the Public Health Service to augment overseas screening and medical treatment programs. Our aim is to reduce the need for such care for refugees after they arrive in the U.S., and to assure adequate follow-up screening and health services. Health assessments funded by CDC help prevent public health problems and identify personal health problems that interfere with self-sufficiency. In the past two years, about 85 percent of all arriving Indochinese refugees have received health assessments.

Conclusion

Our refugee programs form an essential part of our foreign policy and continue a generous and humane tradition in which all Americans can take pride and satisfaction. The President's admissions proposals for FY 1983 represent the essential minimum needed to support the far greater numbers of refugees being assisted overseas, and take full account of the burdens born by our states and communities at home. The proposed program is prudent and balanced, and we hope it will have your concurrence.

Senator SIMPSON. The consultation will come to order.

I know now you have a schedule problem. I am sorry that I had to leave for that rollcall vote, so let me just ask you a very few questions, if I may, and then you may exit to meet your schedule. We will then go immediately to the statements of Under Secretary Swoap and Ambassador Douglas.

Let me ask you, you gave a figure of 7.5 million refugees worldwide. We have used figures substantially higher than that in previous times, indicting that perhaps there were some 15 to 16 million refugees in the world or that will be in the world in 1983.

You might just share with us the substance of your figure and of those, whatever the figure may be, how many will be permanently resettled in Third World countries during this next year; and what percentage of the latter will be resettled in the United States?

Mr. DAM. The figures obviously differ depending upon the standards one uses.

These figures had to be built up from what is supplied from individual countries. So it all depends on the categories used by the individual countries. They do not always use the same categories we do, and frankly some of the countries are not really equipped to use the kind of procedures that we do. They have large numbers of people in camps. I do not personally know what the situation is in Pakistan, but I can well imagine that large numbers of people move across that border, so the exact numbers may be subject to some error.

Now, we estimate that 152,000 will be the number that will be resettled in Third World countries during the coming year. We expect about 55,000 roughly of those would be resettled in countries other than the United States, mostly in Australia, Canada, France, other European countries.

Senator SIMPSON. Is it accurate to say, as is said, that the United States is doing more than the rest of the world combined in terms of admitting refugees for permanent resettlement and what has the State Department been pursuing during the past year to improve internationalization of refugee resettlement?

Mr. DAM. It is hard to measure effort, and I would not want to give a percentage contribution. I think it is clear that we do our fair share, and I think it is clear that some other countries, probably most other countries, do their fair share. We have resettled about half of the total number of Indochinese.

When you talk about the efforts of Thailand, for example, that is not permanent resettlement, but it is a terrific effort that that country is making. So I would simply say that we are doing our share and a number of other countries have to be commended for doing their share, too. I mentioned the situation in Pakistan, the terrifically important effort going forward there.

There are other countries that have taken a larger percentage share of Indochinese compared to their population, let us say a larger per capita effort than the United States has, although the United States' total overall numbers exceed those of other countries from the standpoint of permanent resettlement.

In Europe, a major effort is being made, particularly in the Federal Republic of Germany, with regard to Poles. I was interested to note that Turkey has now begun to take a substantial number of

Afghans; in fact, more than the United States. I consider that a major effort on their part.

So I think others are making major contributions. Of course, you know of the efforts we are making with the U.N. High Commissioner for Refugees to internationalize this responsibility.

Senator SIMPSON. A very critical and important thing to be done.

The total figure of refugee assistance from the United States, including both the domestic and international programs, is given as \$1.7 billion for fiscal year 1983. Yet, I understand that not all of the costs, such as certain administrative costs, are included in that figure.

What is the all-inclusive figure, if you will, including any unstat- ed or hidden or ancillary costs of the U.S. refugee assistance pro- gram for fiscal year 1983?

Mr. DAM. I am going to have to turn to someone else to give you that figure. I simply do not have that.

Mr. Douglas, are you able to supply that?

Mr. DOUGLAS. The most honest thing to say right now, Mr. Chair- man, is that my office, together with HHS, State, and Justice, is working on a figure for an October report to Congress. Between \$1.7 to \$1.8 billion is pretty close to the mark for U.S. refugee pro- grams. I do not want to be one of those Government bureaucrats who says we are talking in the neighborhood of plus or minus \$100 million. One million dollars is a pretty staggering figure.

From the worksheets that I have seen from my people who have been trying to pull all of the interdepartmental figures together, I think \$1.7-\$1.8 billion is not far from where we are right now. We are refining it every day, but we will get that to you later next month. It will include administrative costs.

Senator SIMPSON. I appreciate that; and if you have any other figures to share with the committee, you can certainly do that, be- cause I will express some further detailed questions to you in writ- ing and you can respond, because of your schedule.

Mr. DAM. I appreciate that.

[The following was received for the record:]



UNITED STATES COORDINATOR
FOR REFUGEE AFFAIRS
WASHINGTON, D.C. 20520

REPORT TO THE CONGRESS

Report on Costs for Refugees
and Cuban and Haitian Entrants

October 25, 1982

Prepared by the
Office of the U.S. Coordinator
for Refugee Affairs

PREFACE

This report was prepared in response to Section 502 of the Department of State Authorization Act, Fiscal Years 1982 and 1983 (Public Law 97-241) enacted on August 24, 1982. The Act requires a complete report on the total cost, by five defined categories, of Federal, State, and local efforts to assist refugees and Cuban and Haitian entrants within the United States or abroad for both fiscal years 1981 and 1982. Section 502 of the Act is reproduced below in its entirety.

REPORT ON COSTS FOR REFUGEES AND CUBAN AND HAITIAN ENTRANTS

Section 502.(a) Not later than 60 days after the date of enactment of this Act, the President shall prepare and transmit to the Congress a full and complete report on the total cost of Federal, State, and local efforts to assist refugees and Cuban and Haitian entrants within the United States or abroad for each of the fiscal years 1981 and 1982. Such report shall include and set forth for each fiscal year--

(1) the costs of assistance for resettlement of refugees and Cuban and Haitian entrants within the United States or abroad;

(2) the costs of United States contributions to foreign governments, international organizations, or other agencies which are attributable to assistance for refugees and Cuban and Haitian entrants;

(3) the costs of Federal, State, and local efforts other than those described in paragraphs (1) and (2) to assist and provide services for refugees and Cuban and Haitian entrants;

(4) administrative and operating expenses of Federal, State, and local governments that are attributable to programs of assistance or services described in paragraphs (1), (2), and (3); and

(5) administrative and operating expenses incurred by the United States because of the entry of such aliens into the United States.

(b) For purposes of this section--

(1) the term "refugees" is used within the meaning of paragraph 42 of section 101(a) of the Immigration and Nationality Act; and

(2) the term "Cubans and Haitian entrants" means Cuban and Haitians paroled into the United States, pursuant to section 212(d)(5) of the Immigration and Nationality Act, during 1980 who have not been given or denied refugee status under that Act.

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DISCUSSION

This report on the costs of refugee and Cuban/Haitian entrant programs for fiscal years 1981 and 1982 has been organized in the five categories specified in Section 502 of the Department of State Authorization Act. Each Cost Category table is followed by a brief description of the programs included in that category. While some judgment was involved in placing particular costs in one category instead of another, no costs found to be attributable to either refugees or Cuban/Haitian entrants were left out due to questions of definition.

As can be seen on the Summary Charts, aggregate costs remained fairly stable over the two fiscal years, increasing by only 3.5%, from \$2.238 billion to \$2.315 billion. In FY 1982 domestic assistance expenditures increased by over 12% due largely to assistance expended on previously admitted refugees/entrants, but this was offset somewhat by a decrease in resettlement costs caused by the lower number of new admissions. International assistance funds remained relatively stable in order to maintain refugee populations in regions of initial refuge rather than resettling them in the United States and other western countries.

This report shows 25 federal organizations whose funds are used for refugee or entrant programs, but two offices -- the Bureau for Refugee Programs in the Department of State and the Office of Refugee Resettlement in the Department of Health and Human Services -- dominate by spending approximately 64% of total federal expenditures over the two fiscal years, or 56% of all costs listed in this report. Total federal spending is 88% of all costs (86% of refugee costs and 94% of entrant costs), and 57% of all U.S. Government expenditures over the two year period were in the form of payments to states.

The base population for the report was all refugees admitted to the United States from 1975 through the end of FY 1982, and all Cuban/Haitian entrants. Due to the fact that some of the programs listed do not record expenditures by refugee/entrant (e.g. Food Stamps), approximately 34% of the costs in this report were based on estimations of refugee/entrant usage. Federal administration costs in some areas are not recorded separately because they were either unobtainable, insignificant or included in program amounts.

Regarding state and local costs, the estimated impact of refugees and entrants has been made only for education and financial and medical assistance because refugee/entrant usage of other local services is largely untrackable and speculative, and would be difficult to balance against the tax contributions of working refugees/entrants who constitute the majority.

Another factor that tends to affect state and local costs attributable to refugees and entrants is that a large proportion of the funds listed in this report is actually spent in the jurisdictions which refugees/entrants impact and thus indirectly increases the state and local governments' tax bases.

Projecting FY 1983 costs is difficult due to the many variables involved, such as refugee/entrant usage of financial and medical assistance programs. However, it is estimated that FY 1983 aggregate costs will remain stable at approximately \$2.3 billion.

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS

Summary Charts
(\$ in millions)

BY COST CATEGORY

	FY 1981	FY 1982
Category I (Resettlement)	378.3	251.5
Category II (International Assistance). . .	357.4	337.5
Category III (Domestic Assistance). . .	1,366.6	1,541.3
Category IV (Administration).	75.2	100.9
Category V (Other Operating Costs). . .	60.6	84.6
TOTAL	\$2,238.1	\$2,315.8

BY REFUGEES AND CUBAN/HAITIAN ENTRANTS

Refugees		
Federal International Relief.	\$ 382.4	\$ 350.0
Federal Admissions, Resettlement and Domestic Assistance	1,195.9	1,276.7
State and Local Governments	234.2	283.5
Subtotal	\$1,812.5	\$1,910.2
Cuban/Haitian Entrants		
Federal Processing, Care and Domestic Assistance	403.4	\$ 382.4
State and Local Governments	22.2	23.2
Subtotal	\$ 425.6	\$ 405.6
TOTAL	\$2,238.1	\$2,315.8

BY FEDERAL AND STATE/LOCAL COSTS

Federal		
Refugees.	\$1,578.3	\$1,626.7
Cuban/Haitian Entrants.	403.4	382.4
Subtotal	\$1,981.7	\$2,009.1
State/Local		
Refugees.	\$ 234.2	\$ 283.5
Cuban/Haitian Entrants.	22.2	23.2
Subtotal	\$ 256.4	\$ 306.7
TOTAL	\$2,238.1	\$2,315.8

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

CATEGORY I (Resettlement)

"The costs of assistance for resettlement of refugees and Cuban/Haitian entrants within the U.S. or abroad."

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF STATE</u>		
Bureau for Refugee Programs		
- Refugee Admissions to U.S.	\$ 204.1	\$ 147.0
- Refugees to Israel Program.	25.0	12.5
 <u>DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
Office of Refugee Resettlement/SSA		
- Voluntary Agency Matching		
Grant Program	9.5	7.6
- Refugee Preventive Health Program .	6.5	7.0
- Cuban/Haitian Reception, Processing		
and Care.	133.2	77.4 ^{1/}
 TOTAL	 \$ 378.3	 \$ 251.5

^{1/} In May, 1982, this program was transferred to the Immigration and Naturalization Service (INS). \$25.0 million of the \$77.4 million shown was spent from INS appropriations.

CATEGORY I (Resettlement) PROGRAMSDEPARTMENT OF STATE

Bureau for Refugee Programs: Expenditures for admission of refugees to the United States were \$204.1 million in FY 1981 and \$147.0 million in FY 1982. This covered the cost of documentation, processing, temporary care and maintenance abroad, medical screening, English and cultural orientation training, transportation loans, and reception and placement grants for initial resettlement in the United States. \$25.0 million in FY 1981 and \$12.5 million in FY 1982 was contributed for resettlement and continuing support services for Soviet and Eastern European refugees in Israel.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Refugee Resettlement/SSA: The Voluntary Agency Matching Grant Program provides funds to sponsoring voluntary agencies (on a dollar-for-dollar basis up to \$1,000 per capita) for resettlement assistance in lieu of federally funded cash, medical and social service assistance. In FY 1981 \$9.5 million was expended on this program and \$7.6 million was expended in FY 1982. The Refugee Preventive Health Program (which cost \$6.5 million in FY 1981 and \$7.0 million in FY 1982) includes Center for Disease Control screening and disease surveillance abroad and inspection/notification at ports of entry, and health assessments and care to refugees after placement in the United States. Cuban/Haitian entrant reception, processing and care cost \$133.2 million in FY 1981 and \$77.4 million in FY 1982. Expenditure items covered under this line include processing; transportation to holding centers; care, maintenance and medical services while in detention, and placement services. (Other costs associated with detained entrants are covered under Category V Department of Justice.)

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

CATEGORY II (International Assistance)

"The costs of United States contributions to foreign governments, international organizations, or other agencies which are attributable to assistance for refugees and Cuban/Haitian entrants."

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF STATE</u>		
Bureau for Refugee Programs ^{1/}		
- Indochina Program	\$ 73.7	\$ 35.6
- African Program	71.7	67.6
- Near East Program	101.9	117.4
- Latin American Program	4.3	13.0
- International Organization Contributions	10.4	9.3
Bureau of International Organization Affairs	4.6	4.8
<u>AGENCY FOR INTERNATIONAL DEVELOPMENT</u>		
Bureau for Food for Peace and Voluntary Assistance	90.7	89.1
Office of U.S. Foreign Disaster Assistance	--	.4
Bureau for Near East	--	.2
<u>PEACE CORPS</u>	.1	.1
TOTAL	<u>\$357.4</u>	<u>\$337.5</u>

^{1/} Fiscal 1981 amounts include funds appropriated to the Agency for International Development for various refugee relief activities: \$20.9 million for Khmer relief; \$14.2 million for African refugee projects; and \$52.0 million for the United Nations Relief and Works Agency. They are listed under the Bureau for Refugee Programs for comparison reasons since these activities were funded in the Bureau's FY 1982 appropriation.

CATEGORY II (International Assistance) PROGRAMSDEPARTMENT OF STATE

Bureau for Refugee Programs: Indochina Program funds represent the United States contribution to the cost of refugee camps maintained by the United Nations High Commissioner for Refugees (UNHCR) in Southeast Asia, the Orderly Departure Program from Vietnam and the relief program for Khmer refugees along the Thai-Kampuchean border. In FY 1981 and FY 1982, these contributions totaled \$73.7 and \$35.6 million respectively. Africa Program costs of \$71.7 million in FY 1981 and \$67.6 million in FY 1982 include the United States contributions to UNHCR programs of protection and assistance in Africa, the International Committee of the Red Cross (ICRC) Africa program, and for certain special projects funded bilaterally or through voluntary agencies. In the Near East, contributions were made to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to the UNHCR program in Pakistan, and to the ICRC program and voluntary agency projects for Afghan refugees in Pakistan. These expenditures totaled \$101.9 million in FY 1981 and \$117.4 million in FY 1982. Latin America refugee relief amounted to \$4.3 million in FY 1981 and \$13.0 million in FY 1982. Other contributions to the Intergovernmental Committee for Migration (ICM), the ICRC and the UNHCR for their general budgets or special projects were \$10.4 million in FY 1981 and \$9.3 million in FY 1982.

Bureau of International Organization Affairs: The portion of the United States annual assessment for the United Nations that is estimated to have gone to the support of UNHCR and the United Nations Relief and Works Agency (UNRWA) was \$4.6 million in FY 1981 and \$4.8 million in FY 1982.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Bureau for Food for Peace and Voluntary Assistance: Food for Peace commodity and transportation costs on behalf of refugees were estimated to be \$90.4 million in FY 1981 and \$89.1 million in FY 1982. Contributions in FY 1981 were \$39.3 million to Pakistan, \$33.0 million to Africa and \$18.1 million to Kampuchea. Contributions in FY 1982 were \$70.6 million to Pakistan, \$11.5 million to Africa, \$4.9 million to Kampuchea and \$2.1 million to Latin America. The vast majority of these contributions are made through the United Nations World Food Program. (The funds described in this section are actually included in the Department of Agriculture's Commodity Credit Corporation account but are managed by the Agency for International Development.)

Office of U.S. Foreign Disaster Assistance: Funds listed represent estimated costs of programs of assistance to refugees in Lebanon.

Bureau for Near East: The Bureau has funded a pre-school education project in Gaza refugee camps.

PEACE CORPS

Through the United Nations and ICM, the Peace Corps contributed the services of volunteers to work on training, health and commodity distribution problems in Southeast Asia and Somalia refugee camps. The value of these services was approximately \$70,000 in both FY 1981 and FY 1982.

CCSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

CATEGORY III (Domestic Assistance)

"The costs of Federal, State, and local efforts other than those described in paragraphs (1) and (2) to assist and provide services for refugees and Cuban and Haitian entrants."

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
Office of Refugee Resettlement/SSA		
- Refugee Cash Assistance	\$ 228.9	\$ 251.9
- Refugee Medical Assistance	171.1	180.0
- Refugee Social Services	83.6	67.6
- Educational Assistance for		
Refugee Children	23.2	22.3 ^{1/}
- Supplemental Refugee Assistance . .	--	12.0
- Cuban/Haitian Domestic Assistance .	133.4	90.2 ^{2/}
- Cuban/Haitian Targeted Assistance .	--	35.0
- Supplemental Cuban/Haitian		
Assistance	--	8.0
Other Social Security Administration		
- AFDC	128.0	160.5
- SSI	33.5	37.7
Health Care Financing Administration		
- Medicaid	95.8	115.9
Human Development Services		
- Human Services (Title XX) Grants	10.0	12.8
<u>DEPARTMENT OF AGRICULTURE</u>		
Food and Nutrition Service		
- Food Stamps	111.4	159.2
- School Lunch/Breakfast	31.0	44.2
- Women, Infants, Children Program		
(WIC)	8.2	11.7
Extension Service	1.3	1.3
<u>DEPARTMENT OF EDUCATION</u>		
Office of Vocational and		
Adult Education	20.0	--

^{1/} The funds listed under FY 1982 include only those obligations made for the 1981-82 school year

^{2/} Cuban/Haitian Domestic Assistance includes cash, medical, social services and educational assistance costs.

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

CATEGORY III (Domestic Assistance) continued

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF LABOR</u>		
Employment and Training Administration		
- Job Corps	\$ 19.7	\$ 20.7
- Youth Programs.	3.5	--
 <u>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</u>	 11.2	 14.1
 <u>DEPARTMENT OF JUSTICE</u>	 .3	 .3
 <u>ACTION.</u>	 1.2	 1.2
 <u>STATE/LOCAL</u>		
- Cash Assistance	6.6	30.8
- Medical Assistance.	4.2	16.2
- Education	<u>240.5</u>	<u>247.7</u>
 TOTAL	 \$1,366.6	 \$1,541.3

CATEGORY III (Domestic Assistance) PROGRAMSDEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Refugee Resettlement/SSA: Virtually all funds listed in this section (\$640.2 million in FY 1981 and \$667.0 million in FY 1982) went to states as reimbursement of their costs of providing financial, medical and social program assistance to refugees and entrants. (From mid-FY 1981 this reimbursement was limited to those eligible refugees within the United States less than 3 years.) Cash and medical reimbursements are made to cover the state portion of Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI) and Medicaid, and; through mid-FY 1982, 100% of the costs of cash and medical assistance to those refugees who met AFDC, SSI and Medicaid income standards but were otherwise ineligible. Since mid-FY 1982, HHS only reimburses states for the General Assistance costs of those refugees and entrants who have been in the United States between 18 and 36 months and were ineligible for AFDC, SSI or Medicaid. Social Services funds provided for a broad range of state and local assistance, primarily English language training and employment services. Educational assistance for children is administered by the Department of Education which distributes the funds to States to provide for the special educational costs of primary and secondary school refugees and entrants. In FY 1982 there were two supplemental assistance distributions to states: \$20 million (\$12 million for refugee programs and \$8 million for entrant programs) for states unable to implement the mid-FY 1982 eligibility change on time, and; \$35 million for states where supplementation was necessary due to the high concentration and problems of Cuban/Haitian entrants.

Other Social Security Administration: The funds listed are the estimated federal share of AFDC and SSI payments made to refugees arriving in the United States after 1975 and to Cuban/Haitian entrants. The estimated costs shown break down as follows:

	<u>FY 81 AFDC</u>	<u>FY 81 SSI</u>
Refugees (less than 3 years)	\$ 114.4	\$ 24.3
Refugees (over 3 years)	5.6	1.0
Cuban/Haitian entrants	8.0	8.2
Total	<u>\$128.0</u>	<u>\$ 33.5</u>
	<u>FY 82 AFDC</u>	<u>FY 82 SSI</u>
Refugees (less than 3 years)	\$ 125.9	\$ 25.7
Refugees (over 3 years)	21.6	3.8
Cuban/Haitian entrants	<u>13.0</u>	<u>8.2</u>
Total	\$ 160.5	\$ 37.7

Health Care Financing Administration: The funds listed are the estimated federal share of Medicaid payments made to refugees arriving in the United States after 1975 and to Cuban/Haitian entrants. The estimated costs shown break down as follows:

	FY-81 Medicaid	FY-82 Medicaid
Refugees (less than 3 years)	\$ 85.6	\$ 90.0
Refugees (over 3 years)	4.2	16.2
Cuban/Haitian entrants	6.0	9.7
Total	\$ 95.8	\$ 115.9

Human Development Services: The funds listed are the amounts of grant funds disbursed to states under Title XX of the Social Service Act that are estimated to be have been used for refugees and entrants.

DEPARTMENT OF AGRICULTURE:

Food and Nutrition Service: The Food Stamp program provides coupons redeemable for certain food items based on income level and family size. The School Lunch and Breakfast programs provide free or reduced price meals to students from low-income families. The Women, Infants, Children (WIC) program provides nutritious food to pregnant or breast-feeding women, infants and children who are at nutritional risk. Of the total estimated \$ 150.6 million in FY 1981 and \$ 215.1 million in FY 1982 that was spent under these programs, \$ 122.6 million in FY 1981 and \$ 167.0 million in FY 1982 went to refugees, with the remainder going to entrants.

Extension Service: In both FY 1981 and 1982 \$1.3 million was used for refugee family and youth education in such matters as nutrition, home economics and career education.

DEPARTMENT OF EDUCATION

Office of Vocational and Adult Education: In FY 1981, \$17.5 million was obligated to provide English language training for 32,000 Cuban/Haitian entrants from mid-FY 1981 through FY 1982. A similar program obligated \$2.5 million on behalf of 6,000 Southeast Asian refugees.

DEPARTMENT OF LABOR

Employment and Training Administration: The Job Corps' funds support residential training programs for 1,500 refugee youth between 16 and 21 years of age that combine regular education with job training and employment services. In FY 1981, Youth Programs operated 7 demonstration projects that tested for optimum refugee job training techniques.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

It is estimated that \$9.1 million in FY 1981 and \$11.7 million in FY 1982 was used for Public Housing or Section 8 subsidized housing costs for refugees and \$2.1 and \$2.4 million in those respective years for entrants.

DEPARTMENT OF JUSTICE

The Community Relations Service estimates that it spent \$260,000 in FY 1981 and \$293,000 in FY 1982 in providing assistance to resolve situations of potential conflict involving refugees.

ACTION

\$1.2 million was expended in each fiscal year for the costs associated with VISTA (Volunteers in Service to America) and RSVP (Retired Senior Volunteer Program) volunteer work on behalf of refugees. Costs also include small grants to refugee organizations and mutual assistance associations.

STATE/LOCAL

The cash and medical assistance costs listed represent an estimation of those welfare or medical costs, paid by state and local governments to refugees arriving in the United States after 1975 and to Cuban/Haitian entrants, for which they were not reimbursed by the federal government. Education costs are based on national average primary and secondary school costs multiplied by the estimated amount of refugee and entrant children arriving in the United States after 1975 who come from families receiving financial assistance. Of the total estimated \$251.3 million in FY 1981 and \$294.7 million in FY 1982 that was spent for cash and medical assistance and education, \$229.9 and \$273.3 million, respectively, is estimated to have been spent for refugees with the remainder going to entrants.

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

Category IV (Administration)

"Administrative and operating expenses of Federal, State and local governments that are attributable to programs of assistance or services described in paragraphs (1), (2) and (3)."

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>		
Office of Refugee Resettlement/SSA		
- State Administration		
Reimbursement (Refugees)	\$ 44.1	\$ 55.2
- Federal Administration (Refugees) . .	5.4	7.1
- State Administration Reimbursement		
(Cuban/Haitians)	8.0	8.1
- Federal Administration		
(Cuban/Haitians)	.2	.3
Other Social Security Administration		
- Combined Welfare Administration		
Grants to States	5.1	8.9
Public Health Service	.5	1.1
<u>DEPARTMENT OF STATE</u>		
Bureau for Refugee Programs		
Administration	6.0	7.4
<u>COORDINATOR FOR REFUGEE AFFAIRS</u>	.8	.8
<u>STATE/LOCAL</u>		
-Unreimbursed Administration	<u>5.1</u>	<u>12.0</u>
TOTAL	\$75.2	\$100.9

CATEGORY IV (Administration) PROGRAMSDEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Refugee Resettlement/SSA: States are reimbursed for the costs of administering the assistance funds provided by this office. The total operating costs of the Office of Refugee Resettlement are also listed.

Other Social Security Administration: Combined Welfare Administration Grants provide states reimbursement for a share of their costs of administering AFDC, Medicaid and Food Stamps. The funds listed here are an estimation of those state reimbursed costs associated with refugees and entrants that are not covered by reimbursements from the Office of Refugee Resettlement (due to the loss of eligibility).

Public Health Service: These funds represent the administrative costs of the Center for Disease Control, the Health Services Administration and the Office of Refugee Health Affairs associated with refugee programs.

DEPARTMENT OF STATE

Bureau for Refugee Programs: These funds represent the total administration costs of this office both in the United States and overseas.

COORDINATOR FOR REFUGEE AFFAIRS: The Coordinator's office used approximately \$800,000 for its operating costs in both fiscal years.

STATE/LOCAL

The costs listed in this section represent the estimated administrative funds expended by state and local governments for welfare and medical programs on behalf of refugees and entrants arriving after 1975 that were not reimbursed by either the Office of Refugee Resettlement or the Combined Welfare Administration Grants.

COSTS FOR REFUGEES AND CUBAN/HAITIAN ENTRANTS
(\$ in millions)

CATEGORY V (Other Operating Costs)

"Administrative and operating expenses incurred by the United States because of the entry of such aliens into the United States."

	<u>FY 1981</u>	<u>FY 1982</u>
<u>DEPARTMENT OF JUSTICE</u>		
Immigration and Naturalization Service		
- Refugee Eligibility Determinations.	\$ 4.4	\$ 6.6
- Cuban/Haitian Care & Maintenance. .	6.6	27.0
- Cuban/Haitian Hearings.	3.4	4.4
Federal Bureau of Investigation	.4	.2
Bureau of Prisons	3.4	8.0
Criminal Division	--	.7
<u>DEPARTMENT OF TRANSPORTATION</u>		
U.S. Coast Guard.	42.0	37.4
<u>DEPARTMENT OF TREASURY</u>		
U.S. Customs Service.	.1	.1
<u>CENTRAL INTELLIGENCE AGENCY</u>	.3	.2
 TOTAL	 \$ 60.6	 \$ 84.6

CATEGORY V (Other Operating Costs) PROGRAMSDEPARTMENT OF JUSTICE

Immigration and Naturalization Service: It cost the INS \$4.4 million in FY 1981 and \$6.6 million in FY 1982 to determine whether persons proposed by the Department of State for admission to the United States were admissible refugees as prescribed by the Immigration and Nationality Act. The entrant care and maintenance costs of \$6.6 million (FY 1981) and \$27.0 million (FY 1982) represent physical plant improvement and construction costs of Fort Allen in Puerto Rico and Krome North in Florida. Costs estimated to be associated with exclusion, deportation and bond hearings for Cuban/Haitians were \$3.4 million in FY 1981 and \$4.4 million in FY 1982.

Federal Bureau of Investigation: The Bureau spent an estimated \$430,000 in FY 1981 and \$222,000 in FY 1982 on name tracing, virtually all of which was spent on refugee checks.

Bureau of Prisons: The funds listed in this section represent the estimated costs (unreimbursed by INS or HHS) of operating the entrant portions of detention facilities under the Bureau's Control.

Criminal Division: These funds are estimated to have been spent by panels reviewing the status of Cubans in detention with criminal records.

DEPARTMENT OF TRANSPORTATION

U.S. Coast Guard: The funds listed represent operation and maintenance costs involving Cuban and Haitian entrants.

DEPARTMENT OF TREASURY

U.S. Customs Service: The refugee burden on Customs' costs was below \$100,000 in each fiscal year.

CENTRAL INTELLIGENCE AGENCY:

The CIA estimates spending \$306,000 on refugee name tracing in FY 1981 and \$194,000 in FY 1982.

Senator SIMPSON. Just one more question.

We hear this commitment continually of the continuation of the U.S. effort to take our fair share of the world's refugees and yet statistics overwhelmingly indicate that the United States continues to bear the largest share of the responsibilities for these unfortunate people. In calculating what admissions level constitutes a fair share for our country, are our financial and in-kind assistance to international refugee programs included and, if so, to what degree or how? In gaging those levels for permanent resettlement, is anyone including the responsibility and the burden we accept in allowing now what may be 123,000 applicants for asylum to enter on our shores. If so, how is that included?

Mr. DAM. Although these are not included in the numbers, in terms of looking at the burden on communities it is very definitely something that we look at. Asylum programs also have important policy implications.

I cannot speak to the kinds of calculations that have been made but I am sure that we could provide that kind of information to you.

Senator SIMPSON. It would be helpful to the committee if you would do that and particularly with regard to the asylees and the petitions for asylum, because as we compute and figure, we end up talking about refugees and then we end up in immigration law talking about immigrants. But somewhere in the process we have not really addressed asylees and we did not because there were so few, so we did not even build an end to the 1980 act and now we have 123,000 applications.

Mr. DAM. 123,000 applications. My impression is that the number of approvals remains fairly small.

Senator SIMPSON. After the process, you mean, is completed? After the denials and rejections and appeals, is that what you are speaking of?

Mr. DAM. Yes, sir.

Mr. DOUGLAS. The fact that there may be applications does not mean that the applications are to be heard.

Senator SIMPSON. No, indeed; that is true with the rejection rate and after appeal and so on. And you might furnish us those exact figures.

The Attorney General commented on those. If you could furnish those figures as to numbers, petitions, rejections, denials, appeals, deportations, you know, the whole business.

Mr. DAM. We will certainly provide you with all the figures available, and we will try to work up a little report for you on that.

[The following was received for the record:]

As of July 1, 1982, there were 123,135 asylum petitions pending. Of that total, some 40,000 were filed by Cuban-Haitian entrants. It is unlikely these claims will be processed in view of Congressional action on the status of this group.

The total also includes more than 20,000 applications from Iranians, many of them dating from the hostage crisis in 1980, when Iranians desiring to remain in the U.S. were advised to file asylum claims. It also includes some 12,000 claims from Nicaraguans, many filed in 1980 at the end of the extended voluntary departure program for Nicaraguan nationals, but with the understanding that, because of backlogs, it would be some time before these claims would be processed.

Thus a large part of the backlog stems from unusual events: the Mariel boatlift, the Iranian crisis, and the end of extended voluntary departure for Nicaraguans. As noted, it is probable that many of these claims will not need to be processed, pend-

ing alternative arrangements for the claimants to remain in the U.S. INS processing of asylum claims was also delayed by the need for INS to process some 125,000 Cuban entrants in 1980 and the requirement to investigate the status of all Iranian students in the U.S. The broader asylum eligibility resulting from the 1980 Refugee Act coupled with the wide publicity given to the subject has undoubtedly encouraged more applications, some of which may be frivolous.

The current asylum backlog is probably about 65,000 claims. (The 65,000 figure includes claims filed by individuals who may be eligible for legalization if new legislation passes, probably an additional 5 to 20 percent depending upon eligibility criteria.) To handle the increase in applications, INS has developed a new asylum officer's training program. The number of claims processed has increased from 2,500 in fiscal year 1979 to a projected 11,000 in fiscal year 1982. In fiscal year 1983, asylum adjudications will be a Servicewide priority, and it is expected that INS will be current in asylum casework by August 1983.

The numbers of asylum applications and approvals are an aspect of the overall patterns of immigration into the U.S. and as such are taken into account formulating the Administration's proposals for refugee admissions. While there are similarities between the refugee program and the political asylum program, there are also differences which would make it difficult to address asylum numbers within the consultation figure for Latin America or other regions. Asylees are mainly aliens who enter the U.S. for a temporary visit and who, because of political changes in their home countries, cannot return because of a well-founded fear of persecution. We cannot forecast when such changes may occur nor how many affected aliens might be temporarily in the U.S. Since asylum determinations are made on a case by case basis, it would be difficult to address this subject as such in the context of a refugee admissions figure in the consultations.

Concerning the Department of State's "advisory opinion" role in asylum adjudication, the Department issued approximately 25,000 such opinions to INS in fiscal year 1982 (17,000 in fiscal year 1981 and 5,100 in fiscal year 1980). At present, there are approximately 7,000 cases in process at the Department of State, out of some 123,000 INS reports which are in the system. Iranians (2,500 pending in the Department), Poles (1,500 pending), El Salvadorans (500 pending) and Ethiopians (700 pending) are the most numerous asylum seekers presently in the U.S.

Senator SIMPSON. Let me ask you this. What assurances or commitments were given to the Thai Government with regard to the U.S. admissions levels for 1982? The Congress was advised that the consultation figure for Indochina was 100,000 persons but the flow would be managed at a lesser level and in fact about 75,000 were admitted.

What commitments have been made now to the Thai Government, if you can advise us, concerning resettlement in 1983 and if this 1983 consultation figure is set at 68,000, what would be the commitment to the Thai Government in terms of actual admissions, without treating that figure as a quota which must be filled, which I think we at least all agree should not be?

Mr. DAM. This happens to be something I have looked into. The Thai Foreign Minister is in the United States in connection with the General Assembly, and I have had occasion to meet with him on this problem.

We have made no commitments with regard to specific levels for the Thai Government. What we have said was certainly made clear by my predecessor, Walter Stoessel, when he attended a meeting of the ASEAN Foreign Ministers this past summer. We have a general commitment to try and resolve the problem along with other countries in that part of the world. I have a quote here which I would be glad to read to you.

In this statement, Ambassador Stoessel restated publicly what we have been saying to the Thai Government privately, as follows: "The United States will share the refugee burden by continuing its resettlement program and with the U.N. High Commissioner for

Refugees by urging other resettlement countries to do their fair share."

Now as I said before in summarizing my written statement, it is a joint venture in the sense that it is important if we want to see the Thai Government continue to provide food and shelter for the people they are currently providing for right now and to take any more. Unless there is a stream out, there will not be a stream in, and in fact we might see a situation in which they would not be able to keep the number that they have.

This is not just a question of humanitarian concerns. It is really a question of the stability of Thailand. Thailand has had incursions over its border and with the coming of the dry season there could be a good number more. This is a very serious matter, and while I feel most touched by the humanitarian aspects of it personally, I have to say as a matter of foreign policy it is an extremely important effort we are making with the Thai Government. But again we have made no numerical commitments to them.

Senator SIMPSON. Yes. Well, I appreciate that, and indeed, the Thai Government in their compassion which, you know, I think is becoming a frustration now, as they watch numbers, have to be very careful there from a foreign policy standpoint. We recognize that clearly, and a humane deterrence issue is one that may come into vogue whether we wish it or not. So that is something that we want to watch.

Well, I will submit the remainder of my questions to you in writing this afternoon and would very much appreciate if you could respond to those by tomorrow. I hate to have to push that way, but I think you have a general idea and would be able to respond to the questions after knowing what we asked during the informal consultation process. I believe that could be within your realm to do that, to respond?

Mr. DAM. Yes, we certainly will get right to work on that and have answers for you tomorrow.

Senator SIMPSON. That would be very helpful because we do have this deadline approaching. I thank you and I wish you well in your new duties, not as Acting Secretary of State; your duties as Under Secretary, and good to have you here today and good luck to you.

Mr. DAM. Thank you very much. I appreciate your accommodating my schedule.

[The following was received for the record:]



United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

I am transmitting to you, per your request, the questions and answers which you asked that Acting Secretary Sam provide for the record of your September 29 refugee consultation.

I hope these answers will respond to the concerns of your Committee, and I appreciate the opportunity to be of assistance.

With cordial regards,

Sincerely yours,

A handwritten signature in dark ink, reading "Powell A. Moore". The signature is fluid and cursive, with the first name "Powell" being the most prominent.

Powell A. Moore
Assistant Secretary for
Congressional Relations

The Honorable

Alan K. Simpson, Chairman,

Subcommittee on Immigration and Refugee Policy,

Committee on Judiciary,

United States Senate.

1. INTERNATIONAL REFUGEE RESETTLEMENT

Q. What level of refugees will there be worldwide in 1983? Of these, how many will be permanently resettled in third countries during this next year? What percentage of these will be resettled in the United States?

A. There are approximately 7.5 million refugees worldwide who are in need of some form of protection and care and maintenance provided by UNHCR and other international organizations. Of this number, it is expected that some 160,000 will be resettled in third countries during FY 1983. Countries other than the United States (primarily Australia, Canada, France, the Federal Republic of Germany, and other Western European countries) are expected to resettle some 60,000 refugees.

These figures do not include the large number of refugees who have obtained de facto long term residence in various asylum countries. The majority of those needing third country resettlement will be Indochinese, and of these, the U.S. is likely to accept about two-thirds. (Since 1975 the U.S. has resettled about half: 620,000 out of 1.25 million.) For other refugees resettled in third countries in FY 1983 the U.S. would expect to receive about half, subject to the ceilings agreed to in the Consultations.

2. IS U.S. DOING MORE THAN THE REST OF THE WORLD COMBINED?

Q. Is it accurate to say that the U.S. is doing more than the rest of the world combined in terms of admitting refugees for permanent resettlement? What has the State Department done during the past year to improve internationalization?

A. We believe that as the leader of the world's democracies, we are doing our fair share and that many other countries world are doing their fair share as well.

- Since 1975 the U.S. has resettled about half the Indochinese (620,000 out of 1.25 million).
- But the U.S. accepts only a small proportion of other refugee groups. Most are resettled in regions near their homelands.
- Many asylum countries have accorded what amounts to permanent resettlement to large numbers of refugees.

EXAMPLES:

- o The Federal Republic of Germany accepts ethnic Germans and has given long-term residence to over 150,000 Poles.
- o Pakistan has a long-term population of 2.7 million Afghans.
- o This year Turkey accepted 4,200 Afghan refugees for permanent resettlement. (We accepted 3,900.)
- o China accepted more than 200,000 ethnic Chinese from Vietnam.
- The U.S. makes continuing efforts to encourage other countries to accept Indochinese refugees. Australia, Canada, and France continue to accept significant numbers. Other countries (Switzerland, the Scandanavian countries) accept handicapped and other difficult to resettle refugees.
- The U.N. High Commissioner for Refugees has worked closely with us to maintain resettlement programs for Indochinese in other countries.

3. EFFORTS TO IMPROVE INTERNATIONALIZATION

- Q. What concrete steps will the Department of State take during 1983 to improve the internationalization of refugee resettlement?
- A. We will use international forums such as UNHCR meetings to encourage other countries to maintain or expand resettlement programs, especially for Indochinese. The UN High Commissioner has pressed other countries to accept more Indochinese. It should be recognized that many countries give refuge to refugees from within their region.

We will explore resettlement opportunities in developing countries with feasibility studies carried out by UNHCR, the Intergovernmental Committee for Migration (ICM), and by other governments and organizations. We hope to gain financial support for resettlement in developing countries from other western governments who share our interest in internationalization of refugee resettlement and assistance.

4. THAI ALARM AT LOW REFUGEE OFFTAKE

- Q. The consultation document indicates the Thai government's alarm at the slow rate of decline in the refugee population in Thailand. What are the factors creating this situation? What is the responsibility of the U.S. government in addressing this situation?
- A. The refugee population in Thailand has declined in the past year, from 205,000 on October 1, 1981 to approximately 175,000 on September 30, 1982.

Nevertheless, the Thai have felt the domestic impact of the refugees' presence, and have experienced a continuing inflow for the past seven years. The Thai also see numbers not declining as fast as refugee populations in neighboring states. Other ASEAN countries - Malaysia, Indonesia, Singapore, The Philippines - have only 20,000 collectively. Thailand also receives overland refugees, while others are spared that flow.

Khmer are a major element of the 175,000 refugees in Thailand - some 75,000. The U.S. is admitting Khmer, but the processing is slow because of individual case examination, so this past half year almost no Khmer have left Thailand under our auspices. The pace will pick up, but the departures will not be noticeable to the Thai for another month - in next year's program.

Highland Lao refugees make up 55,000 of the refugees, and they are reluctant to leave the area, so many who qualify for our program do not accept resettlement, preferring to remain in the familiar environment of Northern and Northeastern Thailand.

Boat refugees from Vietnam and ethnic Lao refugees arriving in Thailand over the past year are not allowed to apply for resettlement. This is part of Thailand's deterrence program to discourage boat refugees.

The U.S. is strongly interested in having Thailand continue first asylum, since we believe that most if not all those entering Thailand are compelled by persecution

to flee their homelands - from Vietnamese domination in Laos and Kampuchea, and from North Vietnamese oppression of the conquered south.

Mindful of our long involvement in Indochina, we are concerned for both regional security and humanitarian reasons that Thailand's burden be fairly shared by us and others. Thus we expect that our program in FY 1983 will have its major focus in Thailand.

5. COMMITMENTS TO THAILAND ON U.S. ADMISSIONS LEVELS

- Q. Specifically, what assurances or commitments were given to the Thai Government with regard to U.S. admissions levels for 1982? The Congress was told that the consultation figure for Indochina was 100,000, but that the flow would be managed at a lesser level, and in fact 73,000 were admitted. What commitments have been made to the Thai Government concerning resettlement in the U.S. in 1983? If the 1983 consultation figure is set at 68,000, what will be the commitment to the Thai Government in terms of actual admissions, without treating this figure as a "quota" which must be filled?
- A. We have never provided the Royal Thai Government with specific assurances with regard to U.S. admissions levels, nor do we intend to do so. We have repeatedly stated that the refugee problem is an international one which requires a concerted, international response. For example, at his meeting with ASEAN Foreign Ministers in Singapore on June 18, Deputy Secretary of State Stoessel said: "The United States will share the refugee burden by continuing its resettlement program and, with the UNHCR, by urging other resettlement countries to do their fair share."

We believe an admissions figure of 68,000 for Indochinese refugees would accommodate U.S. foreign policy concerns with Thailand and other first-asylum countries in the region, as well as meet the domestic realities of resettlement in the U.S. No other figures would be discussed with these governments.

We do not look upon admissions ceilings as either goals or quotas. Rather, they represent our best estimate, thoroughly reviewed by the Executive and Legislative branches of our Government, of the number of resettlement opportunities in the United States which may be required to relieve refugee situations of special concern to our country.

6. INDOCHINESE REFUGEES IN THAI CAMPS

Q: Of the approximately 150,000 - 175,000 refugees in Thai camps, how many do you estimate will qualify for resettlement in the U.S.? What is the estimate of arrivals entering Thailand in 1983? Based on present population and flows, what would be a realistic consultation figure for Indochina in 1984?

A: It is impossible to estimate exactly how many refugees we will admit from Thailand in FY 1983. But since Thailand has the largest Indochinese refugee population in the area, our program will have its major focus there. We expect that the 68,000 figure proposed for U.S. admissions combined with other third country resettlement will continue to reduce the overall population of the refugee camps in Thailand.

It is estimated that 6,000 Vietnamese and 6,000 Highland Lao refugees will arrive in Thailand in 1983.

We will continue to monitor arrival rates and third-country resettlement but it is too early to make any judgements about resettlement requirements for 1984.

7. RESIDUAL REFUGEE POPULATIONS

Q: What is the solution for the "residual" group of refugees in Indochina who do not have resettlement opportunities, as well as for those who have been rejected for resettlement to the U.S. because they do not meet our definition of refugee?

A. The prospects for the large-scale voluntary repatriation of Indochinese refugees are not favorable. Therefore, continuing first asylum--while additional numbers are being resettled in other countries--remains the only answer, until, perhaps, a limited resettlement-in-place program, politically acceptable to the first-asylum countries, is eventually devised. The latter solution would also require financial help from the industrial countries.

The domestic political, social, and economic considerations for the countries giving Indochinese refugees first asylum makes the prolongation of the current situation difficult for them to maintain. A significant, continuing reduction of refugee camp populations and continued economic assistance to the first-asylum countries are, therefore, essential to forestall involuntary repatriation and push-offs of refugee boats.

The proposed admission of 68,000 Indochinese refugees is necessary to satisfy these foreign policy considerations, as well as to meet our humanitarian concerns. This regional ceiling would permit us to deal with the expected inflow of refugees in FY 1983 and also reduce significantly the camp populations. It would provide a much-needed assurance to the first-asylum countries that they are not going to be left with a large residue of unwanted refugees, thus improving the chance that they will consider some limited resettlement in place. Any reduction of our ceiling below 68,000 would make our assurances less than credible -- and could lead other Western democracies to reduce their share of the refugee resettlement off-take.

8. KHMER REFUGEES ON THE THAI-KAMPUCHEAN BORDER

Q: We understand that there are currently about 230,000 Khmer refugees located along the border in Thailand. What is the prospect for voluntary repatriation for these persons? Is it likely that as time goes on, a proportion of these persons will seek permanent resettlement opportunities in the U.S.?

We have heard that many travel back and forth between their homes in Kampuchea and the camps on the border. Is the U.S. policy of providing food assistance actually discouraging voluntary repatriation among those who could safely return to Kampuchea.

A: Prospects for voluntary repatriation are not promising. The Vietnamese-imposed Heng Samrin Regime is not anxious to receive Khmer back from Thailand. UNHCR efforts to arrange a formal resettlement program have met with no success to date.

Current Thai policy precludes the Khmer on the Thai-Kampuchean border from third-country resettlement or admission to Thailand in order to discourage any more Kampucheans from coming to the border. Few border Khmer are able to move back and forth to their homes in Kampuchea because of the dangers involved and increasing harassment by Vietnamese-Heng Samrin troops.

U.S. policy does not discourage voluntary repatriation. The border Khmer are there because they fear the armed conflict and food shortages in Kampuchea and the Vietnamese occupation. When these problems are resolved, the border Khmer will return home. In the meantime, the border feeding program enables these people to live, but not to live well.

9. LONG-TERM ASSISTANCE TO AFRICANS AND AFGHANS

- Q. The consultation document indicates that the largest groups of refugees -- 2.7 million Afghans in Pakistan and 2 million Africans in countries of asylum in Africa -- do not seem to have a long-term solution. Is the U.N. High Commissioner for Refugees prepared to cope with long-term refugee maintenance programs? If so, how, what percentage of this aid will come from the U.S.?

With all the international aid given to care for these refugees, how is tension averted with regard to the equally impoverished citizens of the countries of first asylum, the host countries?

- A. Where a given refugee situation is not susceptible to a long-term solution, the UNHCR under its mandate, is responsible for providing long-term care and maintenance to these refugees.

Some African nations are, however, becoming increasingly aware of the need to provide local resettlement to refugees for whom the prospects of voluntary repatriation are remote. Sudan, Zaire, Tanzania, Zambia, and Botswana are examples of countries which have concluded that the refugees, who have been in their midsts for long periods of time, require integration into the economic life of their own societies. Tanzania and Botswana have even gone so far as to extend citizenship.

Unlike the situation in Africa, resettlement in place of Afghan refugees in Pakistan is not a possible permanent solution since this is unacceptable both to the refugees themselves and to Pakistan. At the same time, there is no political solution currently in sight which would permit the Afghans to return to their homes, in the foreseeable future. Care and maintenance assistance provides for the basic needs of the refugees. Self-sufficiency projects are introduced when possible, with safeguards to ensure that refugees do not displace workers from the host country.

The U.S. provides about one-third of the UNHCR's funds for its assistance program, both long-term and short-term.

<u>UNHCR Program for CY 1982</u>		<u>US Contribution</u>
		<u>(FY 1982 funds)</u>
AFRICA	\$146 million	\$48.7 million
PAKISTAN	\$71.2 million	\$27.15 million*

*Includes \$3 million equivalent in excess foreign currency (non-appropriated) Pakistan rupees.

10. PREVENTING A BRAIN DRAIN FROM AFRICA

Q. Since the consultation document states that most of the African refugees admitted to the U.S. are professionals, skilled workers and students, how do you respond to the assertion that our African refugee policy contributes to a "brain drain" from Africa?

A. Although almost all African refugees can be successfully resettled in Africa or remain safely for indefinite periods in countries of asylum within Africa, there are cases which require resettlement outside of Africa. These include urban professionals, skilled workers, and students. These refugees are often unsuitable for the regional rural resettlement that is so successful in Africa and are equally unable to compete successfully for the scarce urban employment available. As developing countries, host African nations have a limited number of professional jobs available and normally give preference to their own citizens.

We are responsive to the concern of African leaders that overseas resettlement programs should not encourage a brain drain of persons whose skills are needed in Africa. We will continue to adjust our own processing of the limited numbers of African refugees whom we accept to deal with this problem.

11. POLISH REFUGEES RESETTLED IN THIRD COUNTRIES

Q. How many Polish refugees will be resettled in third countries during FY 1983? Of these, how many will be admitted to the U.S.? Is there a fairly free movement in and out of Poland at this time?

A. Barring a new exodus from Poland, we now estimate that, if present trends continue, some 20,000 Poles may be accepted for permanent resettlement in third countries, including the U.S. They will probably be divided as follows:

- 8,000 by the U.S.;
- 4,000 by Canada;
- 4,000 by Australia;
- 3,000 by South Africa;
- 1,000 by countries of Western Europe.

Since the imposition of martial law, Polish citizens have not been able to travel abroad freely. There is no evidence of significant numbers of Poles returning home.

At present, 200,000 Poles are estimated to be in Western Europe, 60,000 in the U.S., and several thousand Polish workers are in countries of the Arab world, principally Morocco and Iraq.

12. LIBERAL NON-IMMIGRANT VISA POLICY

- Q. Does the Department still have in effect a "liberal non-immigrant visa policy" with regard to Poles, Iranians, or other groups? Do many of these people take this as a back-door route to then claim asylum once they are in the U.S.?
- A. The Department of State's consular officers have taken a long-term view of ties to the homeland with regard to non-immigrant visas for Iranians, but with the institution of a new refugee program for Iranians, this policy will be terminated. A similar long-term view is being applied for small numbers of Lebanese who recently fled to neighboring countries.

Because we have a refugee program whereby Polish refugees may enter the U.S., a similar non-immigrant visa policy is not now in effect for Poles.

The long-term view is not envisaged as a back-door for immigration. It is intended for those who eventually will return to their homelands, but who cannot immediately do so because of political, religious, or other differences with the current regimes. Whether they be Iranians, Poles, or nationals of other countries, if they avowedly seek permanent resettlement in the U.S., they are not eligible for non-immigrant visas.

13. LATIN AMERICAN ADMISSIONS

Q. The Consultation Document indicates that large numbers are not required for Latin America because of that region's history of generous first asylum. What is Mexico's policy toward granting asylum to such groups as Cubans, Nicaraguans, Salvadorans and Guatemalans?

A. Mexico's past record in granting asylum to political prisoners from the region has been a good one. In recent years, Mexico has not, to our knowledge, been asked to grant asylum to any significant number of Cubans or Nicaraguans. There are about 3,500 Salvadorans who have been granted political asylum and who now receive refugee benefits from the Mexican Commission for Refugees. There are an estimated 18,000 Guatemalans who receive refugee relief from the Commission although they are technically temporary visitors. The Guatemalans are the typical Latin American refugees. They are from rural areas, they continue to live near the border, and they plan to return to their own villages once the area is secure.

In the past several years, Mexico has strengthened its cooperation with the UNHCR. We are optimistic that Mexico will play a major and constructive role in Latin American refugee affairs in the future.

14. STEPS TO INCREASE COOPERATION ON REFUGEES
IN WESTERN HEMISPHERE

Q. This regional cooperation would not seem to be so evident in view of recent refugee and migration crises. 850,000 of the 1 million Cuban refugees were resettled in the U.S. There appear to be many more Haitians and Salvadoreans attempting to enter the U.S. than any other country. Many of the 20,000 Nicaraguan exiles who did not return to their homeland are believed to have settled in the U.S. What specific steps, if any, will the State Department take during 1983 to ensure increased cooperation on migration issues in the Western hemisphere?

A. The majority of refugees and displaced persons in Latin America stay in countries near their homeland.

Many of those coming or trying to come to the U.S. are economic migrants. The Immigration Reform Act provides remedies for illegal migration.

We have had bilateral discussions with the Governments of Mexico, Haiti, and other Latin American and Caribbean countries to promote increased cooperation on migration issues.

The President's Caribbean Basin Initiative addresses the root causes of migration by seeking to promote economic development to reduce the lure of the U.S. economy.

15. ASYLUM CLAIMANTS FROM THE WESTERN HEMISPHERE

Q. Given the fact that so many of those who claim asylum in the U.S. are from the Western Hemisphere, would it not be more realistic and straight forward to address these asylum claimants within the consultation figure for Latin America? If not, why not?

A. While there are similarities between the refugee program and the political asylum program, there are also differences which preclude our addressing asylum numbers within the consultation figure for Latin America or other regions.

Asylees, from Latin America and elsewhere, are mainly aliens who enter the U.S. for a temporary visit and who subsequently, because of political changes in their home countries, cannot return because of a well-founded fear of persecution. We cannot forecast when such changes may occur nor how many affected aliens might be temporarily in the U.S. Since asylum determinations are made on a case by case basis with no numerical quota or ceiling, it would be difficult and possibly misleading to address this subject in the context of a refugee admissions figure in the consultations.

We do take the overall number of asylum applications into account in formulating our admissions proposals, and there is a proposed ceiling of 5000 numbers on adjustment of status for asylees to become permanent resident aliens.

16. REFUGEE EMERGENCIES IN 1983

Q. Do you foresee any likely refugee emergencies during 1983 which would require additional admissions numbers?

A. Not at present. We believe the recommended admissions ceilings will be sufficient to deal with predictable refugee situations.

If there are new and unexpected refugee emergencies requiring significant changes in refugee admissions or major new overseas assistance programs, we will of course consult fully with the Congress.

17. RESETTLEMENT IN ISRAEL AND ASSISTANCE
FOR PALESTINIAN REFUGEES

Q. Please describe the need for such programs as (A) the \$12.5 million per year the U.S. has provided for resettling Soviet Jews and Eastern Europeans in Israel and (B) the \$72 million the U.S. will contribute in FY 1983 for the program for Palestinian refugees administered by the United Nations Relief and Works Program (UNRWA).

A. These funds are provided for the purpose of helping Israel bear the heavy costs of absorbing and resettling thousands of refugees. The U.S. contribution represents only a small portion of the total expense of this resettlement program. It has directly affected the lives of some 600,000 Jews in Israel.

U.S. funds provided for this program are used to finance the care and maintenance of refugees in Vienna, their transportation from Vienna to Israel, and their housing and social services in Israel. Assistance under this program is not limited to new arrivals.

The U.S. makes voluntary contributions to UNRWA in support of that Agency's educational, health, and relief

programs for Palestinian refugees in the Near East. UNRWA is financed almost entirely by voluntary contributions from the international community. The U.S. contributed \$67 million to UNRWA in FY 1982 and has requested an appropriation of \$72 million for UNRWA in FY 1983. These funds are used to provide services to some 1.9 million Palestinian refugees in Lebanon, Syria, Jordan, Gaza, and the West Bank. UNRWA plays a major role in maintaining stability in the region by relieving the host nations of the financial responsibility for the health care, primary education, and relief needs of the Palestinian refugees.

18. ADMISSIONS LEVELS FY 83

Q. You have indicated to me that in FY 82 the overall ceiling was 140,000, and that the State Department expects to admit about 98,000 by the end of the fiscal year. You further have stated that if conditions permit the State Department would similarly aim to admit a number below 98,000 in FY 83. If we assume that refugee conditions do not radically change, does this mean that the proportion of actual admissions to the consultation level would remain roughly the same? That is, in direct proportion to the 1983 consultation levels of worldwide admissions of 98,000 and Indochinese of 68,000, could we expect actual admissions of 69,000 worldwide, including 51,000 from Indochina, in 1983.

A. We are seeking an admission level of 98,000 in the expectation that this ceiling will permit a steady, balanced processing of eligible refugees throughout the fiscal year. We are committed to continued improvement in the relationship between the timing and levels of admissions and the capabilities of the organizations and communities to cope with new arrivals.

We understand this level is a ceiling, and not a quota or goal. Thus, we will not actively seek out 98,000 just to utilize every number.

If conditions permit, we would expect to bring in a number below 98,000 in FY 83. Our request for this ceiling of 98,000

is an accurate forecast, given our analyses of future requirements. It is not possible at this time to determine whether the actual FY 83 admissions relationship to ceilings will be at the same ratio as in FY 82.

19. ASSISTANCE TO SOVIET JEWS

Q. You have indicated that unless the Soviet Union relaxes its restrictions on prospective immigrants, only about 3,000-4,000 persons would be allowed to leave that country in FY 83, mostly Soviet Jews. Of these only about 600-800 will be resettled in Israel, yet we have a budget request for \$12.5 million to resettle these individuals in Israel. Would these persons properly be able to be resettled in Israel without this rather staggering amount of assistance from the U.S.? What would be the effect of channeling these funds instead to the U.S. domestic refugee assistance program, since we accept 70% of the Soviet Jews for permanent resettlement here?

A. Funds to assist in the resettlement of refugees in Israel have long been mandated by the Congress. The U.S. contribution represents a small portion of the cost of resettlement of these refugees in Israel. The remainder is financed by worldwide Jewish philanthropic organizations and by the Israeli Government, so it is difficult to evaluate the effect should we discontinue our assistance.

These funds assist refugees who might otherwise seek U.S. resettlement.

20. DECLINE IN VIETNAMESE REFUGEE FLOWS

Q. How do the flows of Vietnamese refugees compare to last year? Why has the flow decreased?

A. For the first eleven months of FY 1982, overall arrival rates were less than half those of the same period in FY 1981. The boat exodus was especially low in the traditional April - June high season. It is still too early to know whether these rates reflect permanent or temporary declines. FY 1980 showed a similarly significant decline; rates went up again in FY 1981, however.

The basic factors which cause Indochinese to flee persist: restructuring of Indochinese societies along a Marxist-Leninist mode, denial of basic freedoms, continued persecution of certain groups connected with previous regimes, continued Vietnamese occupation of Kampuchea, and economic deprivation.

The factors which may explain the reduced exodus probably include: (1) scarcity of boats, engines, and fuel; (2) continued pirate attacks in the Gulf of Thailand; (3) the potential expansion of the Orderly Departure Program; (4) more restrictive admissions criteria by resettlement countries, including U.S. suspension of processing for newly arriving priority-six refugees; (5) Thailand; "humane deterrence" policy; (6) more determined efforts by the SRV to stem the flow.

21. FACTORS INVOLVED IN CALCULATING ADMISSIONS LEVELS

- Q. This Committee has frequently indicated its commitment to a continuation of U.S. efforts to take our nation's fair share of the world's refugees. Yet, statistics overwhelmingly indicate that the U.S. continues to bear the lion's share of the responsibility for these unfortunate people. In calculating what admissions level constitutes a fair share for our country, are our financial and in-kind assistance to international refugee programs included? If so, how? In gauging the levels we should admit for permanent resettlement, is anyone including the burden we accept in allowing 110,000 applicants for asylum to seek haven on our shores? If so, how is this included?
- A. U.S. policy, and the policy of the United Nations High Commissioner for Refugees (UNHCR), is to give the highest priority to the possibility of voluntary repatriation of refugees to their homeland, and, secondly, to assist refugees in neighboring countries of refuge. Only when such local resettlement in neighboring regions is not possible do we consider

resettlement in more distant third countries, including the U.S.

Our programs reflect these priorities. Since 1980, the proportion of our refugee assistance funds supporting refugees overseas has steadily risen from 37 percent to 60 percent, and the admission of refugees to the U.S. has fallen from 215,000 to approximately 98,000 during the current fiscal year.

Other countries bear a major share of the overseas costs of maintaining refugees in place. In terms of financial support through international programs, the U.S. contribution is around 30 percent, with other donor countries furnishing some 70 percent.

The major burden and responsibility for refugees continues to be borne by the countries providing refuge -- Pakistan with some 2.7 million Afghans; Thailand with close to 175,000 Indochinese; and Somalia and Sudan with over one million Ethiopians. The President's proposed admissions ceilings take full account of our financial and in-kind assistance to these international refugee programs, as reflected in the increased levels of overseas assistance and substantially reduced recommended admissions.

In setting the proposed admissions ceilings, we take into account the large number of asylum applications pending in the U.S., which now total some 123,000. But in our country, as in other countries with large numbers of asylum-seekers (such as the Federal

Republic of Germany and France), the asylum process is recognized as one which requires an individual determination on a case-by-case basis, with no goals or quotas on how many should be approved. The Administration is recommending a ceiling of 5,000 for FY-1983 for asylum cases to be granted permanent resident alien status.

Document No. 4216B

Q. What are the salient statistics for asylum?

A. The Immigration and Naturalization Service Central Office collects and maintains overall statistics for asylum applications and adjudications in the United States. That agency has provided the attached FY 1982 statistics including a breakdown by nationality, approval and denial rates, etc.

Concerning the Department of State's "advisory opinion" role in asylum adjudication, we issued approximately 25,000 such opinions to INS in FY 1982 (17,000 in FY-81 and 5,100 in FY-80). At present, there are approximately 7,000 cases in process at the Department of State, out of some 123,000 INS reports which are in the system. Iranians (2,500 pending in the Department), Poles (1,500 pending), El Salvadorans (500 pending) and Ethiopians (700 pending) are the most numerous asylum seekers presently in the U.S.

For Month of JUN 1982

Region SERVICEWIDE Office ...

Country of Nationality	Pending Beginning of Month 1	Received 2	Transferred In 3	Transferred Out 4	Completed 5	Pending End of Month 6	Granted this Month 7	Denied this Month 8	On C... this Month 9
Afghanistan	925	30	60	11	55	951	20	39	
Argentina	104	2	2	1		108			
Bahamas									
Bangladesh	40	1			3	38			
Bulgaria	33	3	1		1	36	1	3	
Burundi	3					3			
Cambodia	23		1			24			
Chile	102	4	28	2	4	135		4	
China	451	10	34	4	11	500		11	
Colombia	16		2			18			
Cuba	31462	78	38	24	3	31556		3	
Czechoslovakia	118	7		1	1	123		1	
Dominican Republic	8		1			9			
El Salvador	12086	907	1823	225	89	16502	4	85	
Ethiopia	1444	80	84	10	25	1773	13	12	
Ger. Dem. Republic	19		1	1		19			
Ghana	20		2		15	21		1	
Greece	5				1	4			
Guyana	7		1			8			
Haiti	5360	25	15	1	2	5397	1	1	
Honduras	69	2	4	2		79			
Hungary	362	17	29	10	22	381	5	17	
Iran	18221	541	1738	618	310	20242	240	20	
Iraq	634	12	46	14	15	722	2	10	3
Italy	8	1				9			
Jordan	47	3	4	2	1	51	1		
Kenya	8		2			10			
Laos	29		2		2	29		2	
Latvia	1					1			
Lebanon	1103	46	65	15	6	1195	1	5	
Libya	82	6	8		2	94	2		
Malawi		1				1			
Malaysia	1					1			
Mexico	24	1				25			
Netherlands									
Nicaragua	1266	472	418	49	25	13452	3	22	
Pakistan	161	4	12		11	166		11	
Panama	5					5			
Peru	23		1	4		20			
Philippines	225	8	31	8	1	255		1	
Poland	3288	183	65	26	108	3587	7	100	1
Romania	432	11	14	3	29	420	2	21	
South Africa	20		3	1	1	21	1		
Spain	12					12			
Sweden	3					3			
Syria	312	7	4	1	6	316	2	4	
Turkey	129	1	2	5		137			
U.A.R. (Egypt)	205	89	2	1		295			
Uganda	138	2	5	1	5	144	1	4	
U.S.R.	163	8	6		9	168	3	6	
Vietnam	213	9	17	2	4	233		4	
Yugoslavia	112	3	4		10	129		9	1
Zaire	23		1	2		22			
Line Islands	24		2			26			
OTHERS	2910	176	146	26	84	3122	2	78	4
TOTALS	117577	2761	4942	1100	845	123135	317	519	9

Oct 81
June 82
Consolidated

Production Hours

Officer	Clerical
1579	1407

Examinations

U.S. Department of Justice
Immigration & Naturalization Service

Asylum Cases
Pursuant to Section 36 INA

For Month of October - Nov, 1982
Region San Antonio Office

Country of Nationality	Pending Beginning of Month Period	Received	Transferred In	Transferred Out	Completed	Pending End of Month Period	Approved this Month	Cumulative Approvals this Year 8 Months	Denied this Month	Cumulative Denials this Year 8 Months
Afghanistan	1022	315	159	68	313	1146		232		110
Argentina	71	21	5	4	6	99				6
Bahamas	-	-	-	-	-	-				-
Bangladesh	44	18	-	1	1	90				1
Bulgaria	20	14	1	3	3	29		3		-
Burundi	2	-	-	-	-	2				-
Cambodia	16	7	1	3	1	20			1	-
Chile	117	32	6	4	10	147				10
China	705	182	21	47	71	717		8		61
Colombia	15	10	1	1	1	34				1
Cuba	50099	1261	168	407	162	50965				162
Czechoslovakia	101	31	12	11	31	110		9		20
Dominican Republic	14	6	-	1	-	19				-
El Salvador	6042	6490	520	644	506	11973		43		462
Ethiopia	1223	642	71	141	358	1446		112		246
Ger. Dem. Republic	14	6	-	2	-	18				-
Ghana	22	21	2	3	2	40				2
Greece	6	6	7	-	2	11				8
Guiana	12	4	2	2	4	12		4		-
Haiti	5453	288	22	19	27	5777		2		25
Honduras	23	48	-	6	3	62				3
Hungary	268	77	37	52	90	341		17		75
Iran	14711	2766	1360	1355	2334	14683		122		1122
Israel	111	220	46	48	415	590		17		297
Italy	3	5	3	2	-	9				-
Jordan	61	18	6	11	23	51				23
Kenya	6	2	-	-	1	7				1
Laos	22	2	-	2	8	24		1		7
Latvia	1	-	-	-	-	1				-
Lebanon	721	194	60	52	161	762		6		155
Libya	70	30	-	5	16	80		15		1
Malawi	-	-	-	-	-	-				-
Malaysia	1	1	2	-	1	3				1
Mexico	10	7	3	3	1	16				1
Netherlands	1	-	-	-	-	1				-
Nicaragua	458	362	104	182	782	1199		234		548
Pakistan	282	89	52	40	71	418		3		68
Panama	1	3	-	3	3	4				3
Peru	12	11	2	3	-	22				-
Philippines	207	93	22	9	60	252		1		59
Poland	2327	2402	535	227	965	4074		60		905
Rhodesia	11	4	1	-	5	17				5
Romania	214	187	25	56	109	361		35		74
South Africa	34	13	34	2	7	72		4		3
Spain	4	3	1	-	1	12				1
Saudi Arabia	6	3	2	1	2	8				2
Seychelles	192	47	10	18	44	237		6		38
Sri Lanka	72	15	2	-	10	79		3		7
U.A.R. (Egypt)	293	167	20	16	33	431				33
Venezuela	120	57	6	18	47	118		12		35
U.S.S.R.	118	41	14	14	20	142		11		9
Vietnam	145	27	16	13	18	167		10		8
Yugoslavia	135	54	12	1	43	157		2		41
Zaire	18	9	-	1	3	23				3
TOTALS	2122	1021	96	372	332	2541		42		291
TOTALS	47459	20836	3540	4376	7146	110313		2105		5041

Productive Hours

Examinations
Immigration Court

Officer	Clerical
10,923	9,846
1,372	3,266

BEST COPY AVAILABLE

Senator SIMPSON. And now, Dave, I apologize to you for the delay, but you have a statement and we would certainly appreciate hearing that, and after that, we will go right to the statement of Eugene Douglas. Then I will ask questions of both of you.

STATEMENT OF DAVID B. SWOAP

Mr. SWOAP. Thank you very much, Mr. Chairman.

I am pleased to join my colleagues today and to discuss the domestic aspects of refugee resettlement as part of the administration's consultations with the Congress regarding refugee admissions for fiscal year 1983.

Secretary Schweicker and I both value very highly these consultations and the approach that has been established and, in particular, Mr. Chairman, the leadership that you have shown over the years in probing many of these key areas.

Fiscal year 1982, which we are just concluding, was a year that I think can fairly be described as a year of change for the domestic refugee resettlement program. We began the year with a rather bleak picture for our refugee resettlement. We found, for example, that the national dependency rate for refugees was hovering around 67 percent; 40 counties were receiving over 60 percent of the arriving refugees with the State of California alone receiving one-third of the refugees that were arriving from Southeast Asia. State and localities had expressed some disappointment with the record of consultations with them over the preceding months, and they criticized the lack of coordination among the various services and assistance available to refugees from the State-administered programs of the Office of Refugee Resettlement in our Department and the reception and placement program of the Department of State.

So, as you can imagine, Mr. Chairman, we did undertake a concerted effort in fiscal year 1982 to attack these and other problems that we faced a year ago, and I think we have made rather substantial and significant progress in several areas.

Let me just touch upon a number of these, summarize my statement and then allow some time for questions.

First of all, we developed a national refugee placement policy which has been adopted and put into effect across the country by the Department of State. This particular policy was developed after extensive consultation with just about everyone involved in refugee resettlement—representatives of States, localities, voluntary agencies, refugee mutual assistance associations, the Department of State, and other interested parties.

One of the major principles of this policy is that the distribution and placement of refugees shall be done in a manner which will reduce further impact on certain communities and avoid creating new areas of high impact in the future. That has been a guiding tenet of much of what we have been trying to do in recent months in a number of our resettlement efforts.

This particular policy, coupled with one that the national voluntary agencies themselves adopted, has modified the pattern of initial refugee resettlement in the United States.

For example, during the first 8 months of fiscal year 1982, California received 24 percent of the incoming Southeast Asian refugees, down from 31.7 percent in fiscal year 1981. While California continues to receive a substantial percentage of the total incoming refugees from Southeast Asia, it is down markedly from the percentage of just a year ago.

Under this particular placement policy, voluntary agencies are no longer to place nonfamily reunification cases, the so-called free cases, in areas of high impact. In addition, ORR is working with State and local officials and the voluntary agencies to develop a few planned resettlement projects through which groups of refugees can be resettled in areas with conditions favorable to their becoming self-sufficient. We are working with the Department of Labor and with others to analyze local labor conditions and attempting to structure resettlement projects in a way that would most favorably be receptive to planned resettlement. Because of the carefully planned nature of these projects, as well as the extensive negotiations that are required to win approval of a particular site, we have only a few projects underway in fiscal year 1983, but we are going to continue to pursue that type of planned resettlement vigorously.

The second major undertaking in fiscal year 1982 was the promulgation and implementation of the new refugee cash and medical assistance regulations. These were the subject of considerable attention and some controversy, but we believe that they more effectively targeted assistance to people who needed it most and brought assistance to refugees into greater equity with assistance that is available under our categorical aid programs to U.S. citizens.

We believe that an entitlement mentality was beginning to grow among some refugees and service providers after passage of the Refugee Act, with the result that some refugees did not expect to go to work until they had been in the United States for 36 months. In order to encourage self-sufficiency and to bring the refugee assistance program into line with the programs that were available to needy nonrefugees, including U.S. citizens, we shortened the period of special eligibility of needy refugees for cash and medical assistance. I think it is important to note that those refugees who continue to qualify for the regular categorical aid programs in the second 18 months will, of course, continue to receive cash and medical assistance during that period, and that the States will be reimbursed not only for those individuals but also for those who meet the general assistance eligibility standards in the States that have formal general assistance programs.

Implementation of the policy change took some time; 22 States and the District of Columbia did not implement the new regulations on April 1 as we required. There were a whole host of reasons for delays in implementation, including court ordered delays, lengthy State statutory notification requirements and extensive State administrative procedures to effect the policy change.

I am happy to report that, by July 1, all but three States had implemented the new regulations. The urgent supplemental appropriation for fiscal year 1982 did include an additional \$20 million to

help offset some of the costs incurred by the States in this particular period of implementation.

I would like to say for the record, Mr. Chairman, that we appreciate your support during that difficult time on this issue, because of the importance of targeting these funds more adequately to given sectors of the refugee population.

The third major effort in the last fiscal year was in the area of social services and we believe that social services are a key to the refugees' early attainment of economic self-sufficiency. Over 88 percent of social services funding in the preceding fiscal year, in fiscal year 1981, were used for English-language training and employment services, and we have continued to stress that States emphasize those activities which are clearly and directly aimed at self-support.

We have also developed a report on exemplary practices and employment services for refugees in which we identify and cite particular examples or necessary elements of employment services, and we intend to distribute that report widely among the States to assist them and local service providers with their service delivery: in other words, to learn particularly where innovative and creative approaches are being undertaken.

We are also using some discretionary funds for demonstration grant awards in two areas of job development. One is to provide technical assistance to refugee mutual assistance associations in business development and business management, and the other is to involve community and corporate business leadership effectively in refugee job development and job placement programs.

Finally, we have begun to work on the coordination of all of the support services for refugees. We have established a working group consisting of representatives from HHS, the Department of State, State coordinators, national and local voluntary agencies, refugee groups and service providers to explore the concept of case management as it relates to the refugee program.

The specific goal of this particular working group is to recommend a case management system which can be expected to promote refugee employment and self-sufficiency while allowing for individual State latitude. Our broader concern, however, is the coordination of the initial resettlement experience of the refugee through voluntary agency sponsorship with the ongoing resettlement support provided through ORR's domestic assistance resources.

A fourth undertaking was in the area of consultations with States, localities, and private voluntary agencies. I will not go into that in detail. But, as you know, we did accelerate our efforts to consult regularly with as many different entities as possible to attempt to meet legislative concerns and to enable us to continue ongoing and regular consultation between the various entities that were involved.

We have held a number of regional consultation meetings across the country—in San Francisco, Raleigh, Seattle, Madison, and Portland, Oreg.—again with an eye toward effecting more significant coordination and information sharing.

Last, in fiscal year 1982, we worked on certain management improvements within the program. We developed a statement of goals

and priorities for States to follow in administering their programs. A key element of this particular statement is the emphasis on States to creating more effective links between the provision of assistance and services and the attainment of self-sufficiency.

Now Mr. Chairman, with these five or six elements that I have cited, we plan to carefully monitor these initiatives to assess the extent to which they accomplish our intended goals. We want to work closely with areas of continued high impact, such as California and elsewhere, in an attempt to use targeted assistance funds effectively.

We established the concept of targeted assistance funds for the first time in fiscal year 1982 and we think that it will have an important effect on areas receiving a particular influx of refugees.

In summary, it has been my hope, Mr. Chairman, that over the last year we have taken steps to deal with the problems that have arisen as a result of the high arrival rates of refugees in the past, and we will certainly be doing everything we can to monitor changing conditions closely to conform and tailor additional steps in the coming year to the kinds of challenges that we face.

We remain committed to the continuing admission of refugees to the United States and to the principles that the Attorney General and the Acting Secretary of State have enunciated. We think that the problems that we face are temporary and that they should not eclipse the overall need for safe haven for people seeking freedom from oppression and persecution in their respective homelands.

I thank you and I will be happy to answer your questions now or following the presentation of Mr. Douglas.

[The following was received for the record:]

PREPARED STATEMENT OF DAVID B. SWOAP

Mr. Chairman, Members of the Committee, I am pleased to have the opportunity today to discuss the domestic aspects of refugee resettlement as part of the Administration's consultations with the Congress regarding refugee admissions for FY 1983.

FY 1982 was a year of change for the domestic resettlement program. We began the year with a rather bleak picture of refugee resettlement. We had found that the national dependency rate for refugees was 67%. Forty counties were receiving over 60% of the arriving refugees, with the State of California alone receiving one-third of arriving Southeast Asian refugees. States and localities were disappointed with our record of consultations with them. Moreover, they criticized the lack of coordination among the various services and assistance available to the refugees from the State-administered programs of the Office of Refugee Resettlement (ORR) and the Reception and Placement program of the Department of State.

We have made a concerted effort in FY 1982 to attack these and other problems that we faced a year ago and have made significant progress in several areas. Let me discuss some of our major activities of this past year which focussed on key areas of concern.

First of all, we developed a national refugee placement policy which has been adopted and put into effect by the Department of State. The policy was developed after extensive consultation with representatives of States, localities, voluntary agencies, refugee mutual assistance associations, the Department of State, and other interested parties. One of the major principles of this policy is that the "distribution and placement of refugees shall be done in a manner which will reduce further impact on certain communities and avoid creating new areas of high impact in the future."

This policy, coupled with one that the national voluntary agencies themselves adopted, has modified the pattern of initial refugee resettlement in the U.S. During the first eight months of FY 1982, California received 24% of the incoming Southeast Asian refugees, down from 31.1% in FY 1981. Under the placement policy, voluntary agencies are no longer to place non-family

reunification cases ("free" cases) in areas of high impact. Finally, ORR is working with State and local officials and the voluntary agencies to develop a few planned resettlement projects, under which groups of refugees can be resettled in areas with conditions favorable to their becoming self-sufficient. Because of the carefully planned nature of such projects, as well as the extensive negotiations required to approve a site, only a few projects can be expected to be developed in FY 1983.

The second major undertaking in FY 1982 was the promulgation and implementation of the new refugee cash and medical assistance regulations. As you know, we believe that an "entitlement mentality" had grown among some refugees and service providers, after passage of the Refugee Act, resulting in refugees' not expecting to go to work until they had been in the U.S. for 36 months. Therefore, in order to encourage refugee self-sufficiency and to bring the refugee assistance program more in line with the programs available to needy non-refugees, including citizens, we shortened the period of special eligibility of needy refugees for cash and medical assistance. Refugees who continue to qualify for the programs of Aid to Families with Dependent Children (AFDC), Medicaid, and Supplemental Security Income (SSI) are not affected by the policy change. Those refugees who qualify for Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) may now receive these benefits during their first eighteen months in the U.S. and the Federal government reimburses 100 percent of these costs. If they subsequently qualify for general assistance (GA) from their State or county, the Federal government reimburses States for such GA costs during the refugees' second eighteen months here.

Implementation of this policy change has taken time. Twenty-two States and the District of Columbia did not implement the new regulations on April 1, 1982. Reasons for not implementing these regulations include court-ordered delays, lengthy State statutory notification requirements, and extensive administrative procedures to effect the policy change. All but three States had implemented the regulations by July 1. The Urgent Supplemental Appropriations bill, signed into law by the President in July, provides an additional \$20 million to help offset costs to States which were unable to implement the policy change on time.

Our third major effort in FY 1982 was in the area of social services. As you know, we believe that these services are key to the refugees' early attainment of economic self-sufficiency. Over 88% of FY 1981 social service funds were used for English language training and employment services, and we have continued to stress that States emphasize those activities directed toward self-support. We have also developed a report on exemplary practices in employment services for refugees, in which we identify and cite examples of the necessary elements of employment services. We intend to distribute this report widely to assist States and local service providers with their service delivery.

We are also using some discretionary funds for demonstration grant awards in two areas of job development. One is to provide technical assistance to refugee mutual assistance associations in business development and business management; the other is to involve community and corporate business leadership effectively in refugee job development and job placement programs. We believe that projects such as these are of critical importance to this program since they focus directly on the development of jobs for refugees.

Finally, we have begun to work on the coordination of all support services for refugees. We have established a work group consisting of ORR, the Department of State, State Coordinators, national and local voluntary agencies, refugee groups, and service providers to explore the concept of case management as it relates to the refugee program. The specific goal of this work group is to recommend a case management system which can be expected to promote refugee employment and self-sufficiency while allowing for individual State latitude. Our broader concern, however, is the coordination of the initial resettlement experience of the refugee through voluntary agency sponsorship with the ongoing resettlement support provided through ORR's domestic assistance resources.

The fourth undertaking in FY 1982 was in the area of consultations with States, localities, and private voluntary agencies. We decided upon a formal strategy for consultation on the various aspects of this program and have made good progress in carrying it out. First of all, by law we are required to consult with States, localities, and private voluntary agencies about the sponsorship process and the intended distribution of refugees. The placement

policy that I mentioned earlier is both an example of and an ongoing mechanism for meeting this legislative mandate. We spent several months in the development of this policy in order to consult as widely as possible on the many questions it relates to. Moreover, written into the policy are mechanisms that provide for regular consultation between Federal, State, and local governments and the private voluntary sector on matters such as sponsorship of refugees and alleviation of areas of high impact. We intend to carefully monitor the implementation of this policy to ensure that these consultations do occur.

A second aspect of our consultations strategy was to hold Regional consultation meetings in various cities around the country to focus on specific areas of concern in the program. This year meetings were held in San Francisco, Raleigh, Seattle, New York, Madison, and Portland, Oregon. The main issues of discussion included the reduction of welfare dependency, the problems of secondary migration, implementation of the placement policy, and priority uses of social services. The results of these meetings will be a series of recommended actions to ORR and others, to which ORR will respond.

Finally, our consultations strategy includes continued discussion of developing policy and programmatic initiatives with as broad an audience as possible. We believe that thorough consultation on potential policies, guidelines, or regulations enables us to understand the implications of each option under consideration, enabling us to fashion beneficial and workable policies.

Lastly, in FY 1982, we worked on certain management improvements within the program. We have developed a Statement of Goals and Priorities for States to follow in administering their programs. Key within this statement is the emphasis for States to create more effective links between the provision of assistance and services and the attainment of self-sufficiency.

We will be carefully monitoring our initiatives of FY 1982 to assess the extent to which they accomplish their intended goals. We will also be working closely with areas of continued high impact in an attempt to use targeted assistance funds effectively.

In summary, we have taken steps to deal with problems that have arisen as a result of the high arrival rates of refugees in the past, and we will be taking additional steps in the coming year. We remain committed to the continued admission of refugees to the United States. The problems that we face are temporary, and they should not eclipse the need for safe haven for people seeking freedom from oppression and persecution in their homelands.

Thank you. I would be happy to answer questions at this time.

Senator SIMPSON. Thank you very much.
Ambassador Douglas.

STATEMENT OF AMBASSADOR H. EUGENE DOUGLAS

Mr. DOUGLAS. Thank you, Mr. Chairman.

The hour is getting late. We have a long way to go.

I have submitted a formal statement for this hearing and with your permission, would request that it be made a part of the record and will take a few minutes to form a couple of thoughts that seem to me to be relevant to the work that the administration's team is trying to accomplish right now and certainly as our major objective for the next fiscal year.

I find that living in Washington and being in public service makes you think about a lot of things. One thing it makes me think about is how nice it was to be some place else.

As a lot of you know from the hours that we spent together, I talk a lot about the time in Texas and one thing that took a lot of my attention when I was a boy back there was watching the men train what we call quarter horses or cow ponies, and I remember that some of the things that I learned there that are still kind of relevant.

One was that when you start something like that training, you ought to have a pretty clear sense of what it is you want the beast to do and what priority you want him to do it in. You ought to have some sense of a technique and be consistent in that technique.

You ought to stick to what you are doing and have a persistent application of whatever it is you are after and you sure as heck better be smart enough to get out of the way of the beast if he does not learn his lessons very well.

Later on I went from Texas into school and into the Navy and I found that in the military, the art of leadership was not handed out along with the gold stripes that you put on your sleeve, but that your people expected you to set an example, expected you to be consistent and clear and they expected you to have some kind of followup and followthrough on the instructions that you gave.

Still later, in business, I found that a businessman who fell out of step with his customers, who did not know what they wanted or what they expected of him, was not going to do very well in all of these things—from quarter horses to the military and to business, all of these have a lot of application in Government, because I find that a public servant who is out of step with the citizenry, who does not know what they think, what they expect of him, is not going to fulfill that compact. I think the rather long Texas story that I am drawing out of this is that—

Senator SIMPSON. You are not going to tell a longer Texas story?

Mr. DOUGLAS. No; I think I am getting to the nub of it. It is that moving around the country, in the last 6 months, I found that there is confusion; that the country is anxious; there is anxiety and they are asking what we are doing with the refugee programs and why we are doing what we are doing.

Well, to me, that says that if the Federal Government were performing its task correctly, there would not be this rather awful lack of trust and I think one thing that you have seen in the immi-

gration area and the refugee work that we do together, is that we need to be clear, we need to be in touch with the States, with the communities, with the people and as officials with the Congress so that there is a consensus on this refugee business. We all make generalizations from time to time and the generalizations on the refugee area seem to flow from an assumption that there is bound to be a single key somewhere; that if we just lower the admissions figures or if we fix the dependency rates, things will be all right; but we know that there is no single key and as there is no single key, there is no single office or person who is going to fix the American refugee program. It is very much a team effort: Not only between the people and the administration, because we are working as a team, but between us and the Congress. It involves all of us—the American people and those overseas.

We take the concerns of the electorate extremely seriously.

I think the voluntary nature of America's hospitality toward refugees, toward those who are oppressed and are in need, has been one of the proudest things that we point to and while we have some heated words today between the Government and the States and the voluntary agencies, I think we all still agree that we want a citizen base, a voluntary open refugee system and a refugee support system. During the course of this year, as Dave Swoap has said, as the Attorney General also well said, and Kenneth Dam as well, we have a number of tasks to improve upon the internationalization of the refugee situation, to try to ameliorate some of the situations of continuing refugee concern and to improve the domestic management of refugee programs we must get out to the refugees themselves, because the refugees who are here must understand what we expect of them—and we expect them to come to understand—namely, to become self-sufficient and to make the contributions that I am unalterably convinced that they are most capable of making, are making, and will make in the future.

So those are some of the things that I thought would be useful to say, in addition to the testimony that has been submitted for the record.

Thank you, Mr. Chairman.

[The following was received for the record:]

PREPARED STATEMENT OF AMBASSADOR H. EUGENE DOUGLAS

Mr. Chairman and Members of the Committee:

I am pleased to be here today to consult with you on the proposed refugee admission numbers for Fiscal Year 1983 (FY 83). Although the consultation process is required by the Refugee Act, it is nonetheless, a process I seek because of the vital importance of Congressional input to the success of the refugee program. The President has made an initial recommendation on refugee admissions numbers for FY 83. The President's final decision, however, awaits our consultations here with you.

Before I describe to you our recommendations for refugee admissions numbers for Fiscal Year 1983, I would like to briefly state where we think the American refugee program is going in the next several years.

Since 1975, as we all know, this country has resettled an extraordinary number of refugees: almost 650,000 Indochinese refugees since 1975, and 160,000 Cuban-Haitian entrants since 1980. This great flow of refugees and entrants, particularly the Indochinese, set the stage for the Refugee Act, which sought to give direction and control to the program.

Our acceptance of this great number of refugees admirably reflects a traditional feeling among the American people that the United States is a haven for the oppressed. This tradition has committed us in the past to a generous refugee policy. Our most current experience, however, has brought with it a realization that things have changed since the last great waves of open immigration into this country.

In the first decades of the century, there was no welfare system to retard the initiative of the new arrivals to achieve early self sufficiency; nor was there the industrial stagnation and lack of job opportunities that we have seen in recent years.

These domestic developments coincide with an international climate in which freedom and regard for individual liberties is growing ever shorter in supply, and more and more people want to come to the United States. In addition, we are pressured not only by the increasing numbers of refugees but by ever increasing illegal immigration into our country.

Given these circumstances, we must ask ourselves some hard questions and make choices among refugee groups, all of whose claims merit our compassion.

We feel that the refugee admissions numbers we have recommended reflect careful and thoughtful planning.

In making these choices we have been guided by the following principles:

-- That for purposes of resettlement we will give priority to refugees with close ties to the United States, such as past employment with the United States Government or to those who have relatives in this country.

-- That overall refugee admissions numbers must be more closely related to the domestic resources available to resettle them.

-- That resettlement in the United States is the solution of last resort for dealing with refugee crises, and is to be used only in cases of special humanitarian need or when assistance in place or repatriation are not feasible.

-- That promoting stability in democratic countries of first asylum is an important objective of our refugee program.

For resettlement in FY 83, we are proposing that the United States admit a total of 98,000 refugees, composed of 68,000 from East Asia; 17,000 from Eastern Europe and the Soviet Union; 8,000 from the Near East and South Asia; 3,000 from Africa; and 2,000 from Latin America. In addition, we propose that up to 5,000 aliens granted asylum in the United States be permitted to adjust their status to become permanent resident aliens.

The greatest share of our refugee population will still come from Southeast Asia. The reasons are two fold. In the first place, out of the current major refugee groups Southeast Asian refugees have the strongest association with the United States through relatives here or previous employment. In the second place, they are unable to return home and must exist in increasingly untenable first-asylum situations.

There has been a substantial reduction in the first-asylum refugee populations in Southeast Asia over the recent past. In Thailand, for instance, the refugee population declined from a high of 307,000 in mid-1980 to about 180,000 in mid-1982. While the United States cannot be expected to take the remainder of these refugees, we do take seriously the commitment of the international community to ensure that, over time, refugee populations in the first-asylum countries will be

reduced. The United States has not and will not withdraw from this joint undertaking. I believe the consultation request for FY 83 Indochinese refugees reflects the seriousness of our firm commitment to help resolve this difficult problem. The Southeast Asian countries of first-asylum deserve our reassurance that they will not be faced with a large residual population of Indochinese refugees.

Mr. Chairman, this Administration is aware that in the past refugee ceilings easily became self-fulfilling targets. In our view, the national refugee program requires careful management to ensure that the international pressures are balanced by available domestic capabilities. We have planned the FY 83 Indochinese refugee admissions as carefully and knowledgeably as possible. There are, however, several somewhat difficult to predict situations that we must take into consideration.

First, we are assuming that the flow of Indochinese refugees out of the area will continue to decline. As the State Department representative will explain later, we believe that recent policies have helped temper the flow. While first asylum refuge remains for those who must flee, the decreased expectation of resettlement in the United States and other countries does not provide the same strong attraction as before.

Second, the Orderly Departure Program from Vietnam, which we hope will be seen as an increasingly viable alternative to flight by sea, may grow somewhat faster than we had earlier expected.

Third, in an effort to promote the maximum number of voluntary repatriations from among Cambodian refugees in Thailand, their resettlement was deferred earlier in the fiscal

year to permit the UNHCR to attempt an agreement with Phnom Penh on voluntary repatriation. Unfortunately, this effort was unsuccessful. While maximizing voluntary repatriation remains the first priority of the UNHCR, we have to bear in mind that the situation of the Cambodian refugees in Thailand is particularly fragile.

Fourth, there is the prospect of responding to a problem with which I believe most Americans have particular sympathy: the Amerasian children who face discrimination in Indochina. We would like to help as many of these children as possible who can provide documentation regarding their citizenship or relationship to American citizen fathers. In the absence of legislation which would allow Amerasian children direct entry into the United States as immigrants, the State Department will begin processing eligible children under the Orderly Departure Program. It is important to understand, however, that while the United States Government is willing to consider these children for entry, the Government of Vietnam must also allow them to exit. There is no firm assurance yet from Vietnamese officials that the children will be allowed to leave Vietnam.

Finally, you are aware of speculation about the possible release of Vietnamese prisoners in "re-education camps." It is likely that many of these prisoners would be eligible to enter the United States under our refugee criteria. I believe it is prudent to have some refugee numbers available for a group whose close association with the United States has caused them to suffer special persecution.

With regard to Eastern Europe, particularly Poland and the Soviet Union, we propose to admit up to 6,000 Soviet refugees and 11,000 from Poland and several other countries including Czechoslovakia, Hungary, Bulgaria, Yugoslavia, and Albania. In

Poland, the military declaration of martial law in December 1981 occurred at a time when approximately 200,000 Poles were in Western Europe. Many were able to remain there in indefinite status, while thousands of others sought permanent asylum elsewhere. These movements have placed considerable pressures on countries of first asylum.

During the past year, the Administration has taken a hard look at the Romanian Third Country Processing (TCP) operation and concluded that several changes were in order. First, the Department of State will attempt to improve INS processing access to Romanian applicants and to improve the medical screening of all applicants. The second improvement objective is to endeavor to process as many Romanian applicants as qualify for immigration status rather than refugee status. The Romanian TCP program should be used only for the most deserving refugee cases. And finally, we would like to see improvements in the Romanian Government's treatment of its citizens who make known their desire to emigrate from Romania.

In the past year, the emigration of Soviet Jews has reached its most critical point since 1970. Last year the Soviet Union allowed the smallest number of Jews in a decade to leave. At the same time, increased harassment, oppression, and anti-Semitism have been imposed upon the lives of over two million Jews still living in Russia. About 200 a month were given visas, and of those 150 a month came to the United States. We deplore this low level of Soviet emigration and hope that our continued commitment to offer resettlement to refugees from the Soviet Union will serve as a strong signal of our condemnation of persecution, the low level of emigration, and a signal of hope for those who remain behind.

In the Near East and South Asia, nearly three million people have fled Soviet aggression and atrocities in Afghanistan. These refugees have been well received by the Government of Pakistan. Despite its own struggles with economic development, Pakistan has committed its limited resources to help support the refugees now living within its borders. Because of Pakistan's generosity and the support of the international community, we anticipate entry into the United States of only a small number of Afghan refugees who qualify under family reunification or prior association with the United States. The President has proposed for FY 83 the inclusion of Iranian refugees for admission to the United States under the ceiling for refugees from the Near East and South Asia. This inclusion of Iranians under the Refugee Act replaces the practice of the past several years of admitting them through the Attorney General's parole authority. Palestinian refugees in the Near East are being assisted by the United Nations Rehabilitation and Works Agency (UNRWA). It is our policy to support UNRWA and the other relief organizations helping the Palestinians and assisting in the rehabilitation of Lebanon, but with individual exceptions we would not expect to admit such persons to the United States.

In the area of Africa, although the number of refugees is large, the nations there have established some of the most progressive and open refugee policies anywhere in the world. Although serious refugee situations persist in Chad, Djibouti, Sudan, Cameroon, and in southern Africa, most of the refugees are being cared for in neighboring countries. There are, however, a few cases where the refugees are under threat in countries of asylum or have close relatives in the United States -- such as Ethiopians. For these cases, the U.S. anticipates admitting a small number of refugees, not to exceed 3,000.

The nations of Latin America also have a generous refugee policy. Most of those fleeing political turmoil in the hemisphere are sheltered in neighboring countries. Because of this only a few of those will need to be settled here.

We estimate a \$175 million cost to the Federal Government for processing, transporting, training overseas, and initially placing the refugees we propose to admit in FY 83. In addition, we estimate that the cost of cash, medical, and other Federal assistance to these refugees who will be admitted in FY 83 will be about \$225 million. The projected total cost of all U.S. refugee assistance in FY 83 will be approximately \$1.7 billion, which includes \$400 million in assistance for millions of refugees and displaced persons overseas who may never come to the United States, as well as \$900 million for assistance to refugees in the United States who entered this country in prior years. In consultation with my office, the Department of Health and Human Services administers the bulk of domestic assistance to refugees, with the Department of State concentrating on overseas programs and the processing, initial reception, and placement of refugees in the United States.

Early in 1983, the UNHCR must also begin to think about consolidation of refugee camps in Southeast Asia. As refugee flows out of Southeast Asian countries continue to diminish, I believe we should phase out and close refugee camps as they become less and less cost efficient or as training programs can be consolidated in fewer camps. These consolidations may require some expansion of the Refugee Processing Center (RPC) facilities at Bataan. The Philippine Government has agreed in principle to the expansion of this facility if it is necessary. We will determine during the next 4 to 6 months whether an expansion of the RPC is necessary or practical.

The cost of the refugee program brings me to an area which has taken on increasing importance in the last two years, and which is a chief priority of mine -- the problems of our domestic refugee resettlement program, and, in particular, the continuing high refugee dependency rates. While one can argue over the best method of calculating a dependency rate, the factual result remains the same: public assistance for refugees remains the largest cost of the domestic refugee resettlement program. I do not question the need to provide assistance to refugees who honestly require assistance or who are eligible for the programs. I am seriously concerned, however, about the apparent misuse or over-utilization of our refugee public assistance programs. Many refugees appear to regard public assistance as an entitlement. Voluntary resettlement agencies and local welfare officials often do little to discourage this attitude. Refugee public assistance is not an entitlement nor do I believe it was the intent of Congress to establish an entitlement program.

My observation of our domestic resettlement program over the last six months inclines me to believe that we have lost the distinction between refugees and other dependent groups in this country that has been evident in virtually all refugee movements to the United States since World War II. The reality of that distinction was that refugees should not be viewed as long-term dependent populations.

The tools needed to adapt to a new society include

employment services, practical problem-solving orientation, and adjustment services, temporary maintenance while preparing for employment, English language training integrated with employment, and health services. While there are mainstream programs for others in our society who need some of the same tools, it is arguable that those programs are not typically equipped to handle the distinctions posed by a refugee population. Therefore, while some on-going programs can be tapped and "sensitized," new approaches are necessary in other human service fields.

I have heard many comments from people who cope with refugee resettlement at the community level. I have been told many times that they want a resettlement program, not a welfare program. It is clear to me that despite our efforts to the contrary we have a welfare program. There is no more urgent task in the coming year than making significant and visible progress in reducing the prolonged use of cash and medical assistance among refugees.

While I recognize that we cannot totally remove refugee resettlement efforts from traditional public assistance programs, I want to assure this Committee that one of my major priorities for FY 83 will be a serious effort, in concert with Congress, government agencies, states and the private voluntary sector, to redefine, develop, and implement a domestic refugee resettlement program that is innovative, efficient, sustainable, and which provides realistic and more effective incentives to self-sufficiency than are now available.

Americans have been traditionally sympathetic to refugees. We are moved by what has happened to the Cambodians since 1975, or the Vietnamese who make a perilous voyage across the South

China Sea. But we must once again understand the promise of refugees as much as we respond to their trauma. And so must the refugees themselves. Both parties should begin to adjust their expectations accordingly, but it is our special responsibility to give the refugees who come to this country the self-respect that comes from knowing that, in spite of and because of what they have been through, the American people expect them to succeed here. Consequently, self-sufficiency should be the fundamental goal of all refugee resettlement programs in the United States.

During FY 83, we will engage in a thorough review of our refugee programs in an attempt to eliminate many of the serious problems facing the program. We have already begun some specific program changes and will review other modifications during 1983.

We are undertaking a series of initiatives that will enhance our efforts to assist refugees in more quickly achieving self-sufficiency. I intend to focus on efforts on improving the health and skills of those refugees we will accept before they arrive in the United States. For certain groups, we are expanding the English language training and cultural orientation program overseas from 14 to 24 weeks and propose to bring back to the camps refugees already resettled in the United States. I believe that successfully resettled refugees, who have gone through the painful experience of resettlement, will have an important impact on those refugees yet to come.

In the area of health care, the Japanese Government has agreed in principle to donate substantially increased resources to design, equip, and staff new clinical and laboratory

facilities in the Bataan RPC. They have similarly agreed to build and equip a dental clinic. These activities will substantially improve the physical health of refugees before they arrive and will reduce our domestic health costs.

The Japanese have also agreed to provide equipment and personnel for a vocational training program in the RPC. This program will be developed in coordination with the states, industry, and labor to ensure refugees are better prepared for work that is actually available in areas where they settle. These efforts will enhance and improve the crucial linkages between our overseas and domestic programs. If we can more effectively prepare refugees for the demands of resettlement in the United States through health programs, vocational training, language and cultural orientation programs that are conducted overseas, we will be better able to enhance prospects for refugee self-sufficiency at less cost than has been the case in the past.

We see a much greater role for refugee Mutual Assistance Associations (MAA's) here in the United States -- to help other refugees help themselves, including those who have been here for some time but have not successfully integrated. As an example, we want to see more efforts like the Khmer Cluster Project in which the MAA's played key roles. Welfare dependency and secondary migration -- two of our biggest problems -- were significantly reduced among the Khmer who resettled under this program. Success was also due to pre-selecting resettlement sites and by advance consultation with state and local governments who received those refugees.

Dr. Hawkes the Director of the Office of Refugee Resettlement at HHS and members of my staff have recently visited Canada to review their refugee program. We are hopeful

that some aspects of the Canadian resettlement experience may be applicable to improving our performance in the United States.

We intend to review the relationship between medical assistance and cash assistance and how the impact of these two programs on refugee resettlement might be improved. I will review the financial and program relationships of the voluntary and public sectors, the role of state governments and review again the reception and placement grants to see if we can more effectively utilize this resource.

Self-sufficiency should be the principal goal of all refugee resettlement programs in the United States. It is not only a Government effort, but a cooperative venture deeply involving the voluntary resettlement agencies of this country. Our refugee programs have historically been an effort of the community and its representatives of the voluntary resettlement agencies. Their past efforts and accomplishments should be recognized by this Committee. They should as well recognize our fervent desire to see them direct a greater portion of their energies to assist those refugees who have already been brought here -- often languishing in despair and confusion -- while at the same time developing a process that will increase the success of incoming refugees to adjust and to reach early self-sufficiency.

In summary, let me say that I believe the international refugee problem is one that will be with us for some time -- certainly for the remainder of this century. The refugees who are waiting in camps throughout the world for a just resolution of their plight are the direct and human result of man's inability to resolve his political conflicts. This

Administration, consistent with those before it, maintains that refugees are the responsibility of not one or a few nations, but of the entire world community. We are prepared to contribute our fair share and to accept into this country our fair quota of those needing resettlement. We do not expect to bear the refugee burden alone. In this regard the Administration continues to effect its international refugee program through international organizations, primarily UNHCR, UNRWA, ICM, UNICEF, and the ICRC. Together with like-minded governments we work for the protection of and assistance to refugees worldwide.

We believe, furthermore, that a strong human rights policy, and pressure to end the injustices that create refugees must be major parts of any Administration's foreign policy.

Ultimately, the fundamental solution to the world's refugee problem is not resettlement, but the reversal of the current political climate in the world today where the number of countries affording their citizens basic human rights and dignity continues to shrink.

I thank the Committee for its attention and would be happy to answer your questions or to refer them to my colleagues where appropriate.

Senator SIMPSON. And I thank you, because you do have an extraordinary grounding of the issue, now that you have been around the land and in your international travels, too, as coordinator. Indeed, and that is what you are, a coordinator for refugees with ambassador status. It is a critical role.

Well, some questions now and then we will submit some of these, perhaps, in writing.

And David Swoap, if I may.

A change has come about after years of voluntary responsibility and church responsibility for refugee resettlement because the Federal Government is setting the admission levels for refugees. Since the States and counties have really no part in determining the refugee admission levels in any sense other than a very informal type of consultation process, the Congress has come to at least a general determination that the costs of refugee resettlement is a Federal responsibility.

What is the administration's present position with regard to fiscal responsibility for refugees admitted to the United States and if these projected appropriations are inadequate or proved to be, should the Federal Government provide additional funding through supplemental appropriations to avoid passing this burden on to the States and counties?

Mr. SWOAP. Mr. Chairman, as you know, we do share the commitment of the Congress and of the Federal Government generally that this is a Federal responsibility and that we should be reimbursing States for 100 percent of their allowable costs of refugee cash and medical assistance within available resources and overall budget constraints.

I think the key is, as I stated in my opening statement, that it is incumbent upon each of us to so manage those resources and the overall characteristics of the domestic resettlement program, to maximize those resources and to target them most effectively.

So with those caveats, I would say that we certainly do share that commitment and, if all of those things have been done, and all of the claims have been carefully reviewed and evaluated as valid, we would, of course, go to the appropriate departments and offices within the administration to seek supplemental funds, if they are necessary. But the very nature of this program is fluid and there are so many variables at play during the course of the year, that our first task is to monitor carefully those changing variables and then second, to tailor the program through the course of the fiscal year to try to make the budgeted resources conform to the requirements placed upon them.

Senator SIMPSON. And we have this total of \$514.8 million, which is requested for the domestic resettlement program. We will then feel that is fully sufficient for the Federal responsibility for these numbers of the consultation process, as well as those already in the country for less than 3 years, without any additional changes or end-of-the-year shortfalls. Is that what you are saying?

Mr. SWOAP. We think that is the case now, Mr. Chairman. Again, I would stress the caveats that we would place upon that statement.

First the rate of refugee arrival over the fiscal year, of course, is not constant, and we need to do the monitoring and the tracking that I have described.

Second, the job skills, education and background of particular groups of arriving refugees may differ markedly and that, of course, affects the dependency rate and our ability to quickly help them become self-sufficient once they are resettled.

Finally, the geographic location of specific resettlements affects the budget because, as you know, if refugees are placed in States with high benefit levels to which the cash and medical assistance eligibility and benefit levels are tied, that then forces up our overall reimbursable costs.

But within those caveats, I think that we do look now at a budget request that appears to be adequate. I think we should stress the fact that that particular budget number and the manner in which we arrived at it was predicated upon an overall figure of 114,500 refugee admissions in fiscal year 1983 and as we discussed, our official consultation number is 98,000.

In addition to that, as the Attorney General and the Acting Secretary of State indicated, it is entirely possible that we will come in under 98,000, just as we have done this year, where we had an overall number of 148,000 refugee admissions budgeted and we actually came in at about 99,000. So, with all of those factors, I think we are facing a situation where we can reasonably expect that that figure will be sufficient, and if not, everything else exhausted, we would certainly seek means of adding to it.

Senator SIMPSON. Would you share with us this year's dependency rate, because that has been of great concern to the Congress. There are figures bandied about of 67 and 71 percent that have obviously been challenged.

Most recently it is less than that by a significant degree. But if you could share with us this year's dependency rate among Indochinese refugees, why you feel the rate has dropped from last year, and what is being done to further reduce refugee dependency?

Mr. SWOAP. Yes, sir. As you know, 67 percent was the base against which we started. It now appears on the basis of preliminary data that there has been a substantial drop, to around 48 percent. I would add, however, that we are trying to evaluate the adequacy and validity of some of California's caseload claims. We believe that the dependency rate is down around 47 or 48 percent rather than the 54-percent estimate which includes California caseload claim.

Now, we think with the vigorous pursuit of the initiatives that I outlined earlier, with the impact aid and resettlement plans that I described, that the dependency rate should drop even more significantly. We are gaging an approximate drop from 48 percent to about 37 percent by the third year.

Senator SIMPSON. That was an incredible comment from California in our informal hearing on reauthorization funding. There was commentary it was not a record gathering using financial information furnished by the State of California, that the Office of Refugee Resettlement calculated that the dependency rate of Indochinese refugees was at 99 percent. What an incredible statistic. What it means, I have a little bit of wonderment but regardless it is very

important to us since California resettles about 30 percent of the Indochinese refugees who come to the United States.

I would like to know what funding commitments were made to the State of California after the recent visit of the Commissioner of the Social Security Administration investigating the shortfall and where we are with this most significant figure which has skewed dependency rates. I would like your views on that.

Mr. SWOAP. Yes, Mr. Chairman. That is, as I said, the one remaining significant variable that really has not been put to bed at this point. However, the 99 percent is, in some respects, an artificial number because it is based on accepting California's estimate of the number of refugees on public assistance as compared to our estimate of the number of refugees residing in California for 3 years or less. Once we make the mathematical comparison, we arrive at a dependency rate of 99 percent and that is, among other reasons, why we think that the California figure is probably one that overstates the number of refugees that are eligible for assistance.

Generally, this claim relates to two categories of assistance; one, the so-called AFDC State only program, which is a program that California runs to qualify individuals for assistance that is like the Federal aid to families with dependent children program, for families that do not directly qualify for the Federal program and second the supplemental security income program and their own State supplementation of that.

Now, I think it would be helpful to report to the committee that it now appears that the amount remaining in dispute has dropped somewhat significantly in recent weeks as we have examined further the particular situation. We started with about \$67 million in dispute with California. HHS has recently made a grant award of approximately \$4.8 million from the urgent supplemental appropriations because of the delayed cash and medical assistance policy implementation that I described earlier.

In addition, the Office of Refugee Resettlement will cover the State's retroactive 1981 costs estimated to be about \$5.5 million. So, that is about \$11 million off of the \$67 million, dropping the State's claim down to \$56 million. We do have some surplus end-of-the-year funds in the amount of about \$8 million, which, provided to California, would drop the claim to about \$48 million. In addition, we have recently undertaken some tape matching in the SSI area, which appears to substantiate the fact that some of our concerns were well taken, and it appears that about \$12 million of the claim will then come off the \$48 million.

So we are down to about \$36 million that remains in dispute out of a total of \$67 million at the outset.

What Commissioner Swahn told the California officials continues to be the policy of this department—that we will reimburse California, that we will, if necessary, request the funding for legitimate claims, and we will attempt to do that in a way that meets California's cash flow considerations and our own audit processes. I think it is important that emphasis be put upon the word "legitimate" because we do, of course, want to make sure that the final reimbursements are made only for cases that qualify.

Senator SIMPSON. I will be very interested to see what occurs with that and I will be following it with great interest.

I think what is important to state is basically that as I pursue this thing, in my time here, I share these thoughts with my colleagues and watch the tone of debate as it is with the immigration legislation. When the amendment was presented to severely limit and put a veto on refugee numbers, it was the closest amendment of the entire debate, if you will, showing something burning in their bosom and illustrating that a dependency rate of 48 percent is still wholly unacceptable, I think, to the majority of the people in the U.S. Congress.

So when we say we have come from 67 to 46 to 38, then you come to 32 and I think the general population is not anywhere near that level. I am not saying that to be nasty. I am just saying it is reality.

Mr. SWOAP. Yes, sir; that is a conviction that we share. Those numbers are too high, and that is why we are pursuing those approaches that I mentioned to you, to drive that figure down.

Senator SIMPSON. Because that was never intended. The 36 months was originally a transitional device and it has now become entitlements. That was never intended. Now, we have come to the 18 months cutoff.

How much has been expended for impact aid as a result of the 18 month cutoff of benefits to certain refugees? How much will be used for that purpose in fiscal year 1983?

Mr. SWOAP. We estimate in the "general assistance" category, Mr. Chairman, that about \$10 million will be expended in fiscal year 1982 and in the neighborhood of \$20 or \$21 million in fiscal year 1983. For fiscal year 1982, we have a total of \$35 million in targeted assistance. Seven States submitted proposals for targeted assistance and grant awards were issued to three States, the overwhelming majority of funds going to the State of Florida. For fiscal year 1983, funding for entrant and refugee targeted assistance has been requested by the Department at a level of \$20 million, although I think it is important to note for the record as well that we are processing and sending to the Office of Management and Budget a request for a supplemental that would increase targeted assistance funding to \$35 million for fiscal year 1983, identical to the level in fiscal year 1982.

Senator SIMPSON. My final question on placement.

During the first 8 months of fiscal year 1982, 65 percent of the newly arrived refugees were placed in 10 States. As a result of new placement policies of HHS, what percentage of the new refugees will be resettled in these impacted States in fiscal year 1983?

Mr. SWOAP. In fiscal year 1981, the top 10 States received about 68 percent of the total flow of Southeast Asians and, during the first 10 months of fiscal year 1982, those same 10 States received 64.8 percent. So there has been a slight diminution in the inflow. Most notably, as I indicated previously, California has realized a reduction in their percentage from 31.1 percent to 24.5 percent.

In fiscal year 1983, we are developing new placement opportunities for, as I mentioned earlier, the planned resettlement of some refugees to be directly targeted to several States that historically have received 1 percent or less of the refugee flow. Now, we are

working against some other factors in that the majority of newly arriving refugees wish to join relatives who are already established in the United States, so we cannot expect dramatic changes in geographic placement or resettlement patterns. We do think however, that this particular placement policy has at least eased the situation in those 10 highly impacted States, has established a process for the future of targeting other States that have had low numbers of refugee arrivals and, has established a process of improved State and local consultation to plan for refugee resettlement in a way that more equitably shares the burden.

Senator SIMPSON. I thank you very much.

Now, a few questions for Ambassador Douglas.

You state that for purposes of resettlement, we will give priority to refugees with close ties to the United States, and of course those that have relatives in the United States. What percent of the Indo-chinese are admitted on the basis of family reunification? How can we avoid the U.S. response to a refugee crisis from turning into a time of long-range family reunification programs if we intend to do that?

Mr. DOUGLAS. Mr. Chairman, I think the percentage has been roughly 50 during the last year. As for the question of whether family reunification as the critical mass inside the country will grow larger, or will give us an even larger wedge on family reunification, I do not think so. I think the declining pool of Southeast Asians—because that is basically what we are talking about—is in a way self-limiting. I do not see that as a danger of becoming uncontrollable.

Senator SIMPSON. Now, in this interdisciplinary effort, you have your office and the Justice Department, INS, and the Refugee Coordinator. I think you all agree that we must assure the domestic resources are there to meet these consultation figures. I remember I said in the last consultation process that Senator Mark Hatfield is sitting here with us, to be sure that you all were paying attention.

Do you remember that?

Mr. DOUGLAS. I do recall. I came in looking very attentively to Senator Hatfield.

Senator SIMPSON. And he will be sitting here again now if we miss the mark again.

So I want and I think the committee wants to be certain that the resources are there, at whatever figure is arrived at. I think that is fair. So that we do not have to go through the anguish of States and their elected representatives. The Secretary, the chairman, the coordinator, and Attorney General, I think all share that view. You are the official who ties the domestic and international parts of that together. What steps have you taken in this interdisciplinary activity that would assure that the fiscal year 1983 admission levels do indeed meet the appropriations? Will this level of admissions in conjunction with this figure assume reimbursement to the States and counties of 100 percent for the cost attributed to refugees who are here for 3 years or a lesser time?

Mr. DOUGLAS. All of us have said in our own way, Dave Swoap has just reiterated that eloquently, that we stand by the 100 percent reimbursement.

I think this year we have worked closer than the record shows before, to test the assumptions that we used in running up the HHS budget against numbers. We have just finally managed to get onboard in my office, the budget and fiscal person to spend full time in looking at masses of figures and to help us improve the kinds of data collection information that we get. While it is a heck of a big budget and a very major political issue, the number of people in the Federal Government who are devoting themselves full time to managing this program is certainly among the more modest for the size of the program that we have got.

So we do not have trouble seeing each other; we see each other all the time, and we are aware that it is not a once-a-year or once-a-quarter consultation matter. It is staying in weekly touch with where the figures are going and keeping yourself out in the field, arguing and auditing and working.

I think there is no question that you will see the results of that between the State Department and HHS's new consultation work with the States and my own budget.

Senator SIMPSON. You have indicated some leeway has been provided in establishing this figure of 68,000 admissions from Indochina because arrival rates may not climb or because the orderly departure program may grow faster than anticipated because it may have to admit larger numbers of Cambodians. The legislation was before the Senate last night, and probably will be passed in the House. What would be the realistic level for Indochinese admissions without those caveats? Why would we not just submit the lower figure and address this other situation that arises through the emergency consultation?

Mr. DOUGLAS. Mr. Chairman, language is wonderful. I do not know that I said or would agree that those little things that you read off there are caveats. I think what we have said is that we believe the necessary, reasonable, prudent number is 68,000. Those leeways are judgments.

I have said repeatedly that what we wanted to do with numbers was to provide honest numbers without the fluff of layers; numbers that reflected the running rate; numbers that reflected the actual figures as we saw them. Now, I think our ability to be tighter in Europe or Central America or Africa may be greater at the moment than in Southeast Asia where the situation is fluid and where people's lives are at stake. We have elected, and I stand by that, that for the interest of the refugees and the American program, and the interest of the American people, including internationalization and many other things, 68,000 is the number that, in my best judgment and that of my colleagues and others, will give the right return and the right results to our people.

Senator SIMPSON. OK.

We talked about that before and I am fortunate to have credibility and you have concurred. These are obvious steps toward credibility in these last 2 years in this field. You remember the Refugee Act described a normal flow of refugees as 50,000. That was the original proposal back then when that was put on the books, a normal flow. Certainly you all have done a remarkable job. I mean each and every one of you in reducing levels during these times.

But I did note in the consultation document, when we get down to figures again, which I hate to go through as we always do, your suggesting admissions for various regions for the world receive actual admissions for 1982 of 17,000 refugees from the Soviet Union and Eastern Europe and 8,000 from the Near East and South Asia. Do you anticipate a change of circumstances in those regions?

Why would we just not set the admissions level at this year's figures under those circumstances?

Mr. DOUGLAS. For the Near East and Southeast Asia, the biggest uptake that you see in there is the provision for an Iranian refugee program for this year. Years past we had been admitting Iranians, Moslems, Christians, Jews, and Bahais under special parole authority. We read the intention of the act, the intention of the Hill, that parole authority is not the correct way to go. We want transparency in the program, so that we have asked that the Congress concur this year in the startup of a standard refugee program for Iranians. We do not know exactly that is going to be, but we think as many as 4,000. You add 4,000 onto the running rate and you come up to about where we are with 8,000. For Eastern Europe and the Soviet Union, we have tried to adjust the Soviet Jewish immigration figures down from the regrettably too high 20,000 down to 6,000. The running rate this year is about 33.5. In this rather special case, we want to hold some promise, some hope in addition to some optimism that we make an improvement over the year to Soviet immigration—Jewish and Armenian in this case.

With regard to the Poles, which is the other part of that 17,000, Senator, as you may be aware already, this has begun slowly, but it may grow; we do expect it to grow to the release of those who were detained at the imposition of martial law inside Poland, Solidarity program—

Senator SIMPSON. Excuse me.

A total of 200,000 Poles in Western Europe?

Mr. DOUGLAS. 150,000–200,000, I do not think there has been a total nose count.

Senator SIMPSON. But they were when that occurred; we might as well say 150,000, 200,000 Poles in Western Europe. How many were settled in the United States? How many were settled here and how many are being allowed to remain in the United States by the INS until the situation improves in Poland?

Mr. DOUGLAS. The number that have come in, actually landed, as by the end of this month will be close to 7,000, 6,900, 6,800 I think. My colleague next door can give it. The number that still remain registered in Australia from which most of this 6,000 or so came is still up there, 9 or 10,000, and I suspect we have already interviewed—INS has already interviewed and approved for entry into the United States, over 9,000. Some of those at the end did not elect to come on the plane, they stay, go back some place else.

How many have been here on voluntary departure—something like 15,000, 16,000. I would have to look at the figure. There are about 9,000. Six thousand for extended voluntary departure of some 5,000 expected—

Senator SIMPSON. And then the explanation about the Soviet figure?

Mr. DOUGLAS. As I was about to say, Senator, we brought the Soviet Jewish figure to 6,000. The actual is about 3,000.

I would say in this special case, and I think it is a special case, that we wanted to do two things. One, I continue to believe that in the course of the year, the United States and Western Europeans and other free countries can do something with the Soviets to get them to improve that figure and let some of those people go. I want to be sure that we have those figures on record and that we have those opportunities for those people to leave.

Senator SIMPSON. That is an interesting issue, the Soviet Jewry issue.

Mr. DOUGLAS. It is a tragic one, Senator.

Senator SIMPSON. It is indeed, and yet, in the selection process as made by the Soviet Jew, apparently about 70 percent of them come to the United States rather than select resettlement in Israel.

Mr. DOUGLAS. That is correct.

Senator SIMPSON. And yet we budget in the United States for a different end result. We budget that in as if they were being resettled in Israel.

Mr. DOUGLAS. We budget 12 million or so.

Senator SIMPSON. Twelve and a half.

Mr. DOUGLAS. Half this year and last year. As a special contribution to the appeal and it is administered by the Israelis, by a group, not by the Israeli Government. It is for the resettlement in the past; it has been for the resettlement of Soviet Jews to assist the Israelis in their own budget restriction. I believe this year that the Congress has improved on its language and instead of being for Eastern European Jews, it is for Jews from anywhere in the world and there are Jews from Africa, resettling now. That is a broad, long story all in its own.

Senator SIMPSON. Well, I think that takes care of the information seeking effort. It is very helpful.

I really want to thank all of you for your participation and I commend you for your efforts because I can tell you one thing. If the consultation process works, you will not have these pressures from Congress that come through the amendment you see lurking in the immigration and refugee reform bills; that will not take place if Congress knows consultation is working. Otherwise it is just back to business as usual, using parole authority and approaches like we did in years past. But we will hinder a program that is very important to us. So I will submit the rest of the questions for the record and if you can answer those tomorrow, you, Dave, and Eugene, it would be very much appreciated.

[The following was received for the record:]

PRESIDENTIAL DOCUMENTS

PRESIDENTIAL DETERMINATION No. 83-2 OF OCTOBER 11, 1982—FY 1983 REFUGEE CEILINGS

MEMORANDUM FOR THE HONORABLE H. EUGENE DOUGLAS, UNITED STATES COORDINATOR FOR REFUGEE AFFAIRS

Pursuant to Sections 207(a) and 207.1(a)(3) and in accordance with Section 209(b) of the Immigration and Nationality Act (INA), after appropriate consultations with the Congress, I hereby determine that:

the admission of up to 90,000 refugees to the United States during FY 1983 is justified by humanitarian concerns or is otherwise in the national interest;

the 90,000 refugee admission ceiling shall be allocated as 64,000 for East Asia; 15,000 for the Soviet Union/Eastern Europe; 6,000 for the Near East/South Asia; 3,000 for Africa; and 2,000 for Latin America/Caribbean; and

an additional 5,000 refugee admission numbers to be available for the adjustment to permanent residence status of aliens who have been granted asylum in the United States is justified by humanitarian concerns or is otherwise in the national interest.

Pursuant to Section 101(a)(42)(B) of the INA and after appropriate consultations with the Congress, I hereby specify that special circumstances exist such that, for the purposes of admission under the limits established herein, the following persons, if they otherwise qualify for admission, may be considered refugees of special humanitarian concern to the United States even though they are still within their countries of nationality or habitual residence:

persons in Vietnam with past or present ties to the United States; and present and former political prisoners, and persons in imminent danger or loss of life, and their family members, in countries of Latin America and the Caribbean.

You will inform the appropriate committees of the Congress of these determinations.

This memorandum shall be published in the Federal Register.

RONALD REAGAN.

THE WHITE HOUSE, Washington, October 11, 1982.

RESPONSES TO QUESTIONS SUBMITTED BY SENATOR ALAN K. SIMPSON TO AMBASSADOR DOUGLAS

Question 1. You have stated that for purposes of resettlement we will give priority to refugees with close ties to the U.S., including those who have relatives in this country. What percent of the Indochinese are admitted on the basis of family reunification? How can we avoid the U.S. response to refugee crises from turning into a long-term family reunification program?

Answer. Approximately one-half of the Indochinese refugees resettled in the U.S. in recent years have been admitted on the basis of ties to close or distant relatives in the U.S.

Our foreign policy interest in ensuring the maintenance of the principle of first asylum and our humanitarian concern for providing resettlement opportunities for those who cannot return to their countries of origin and who cannot remain in countries of first asylum are our first priorities in providing refugee admissions. Family reunification is secondary in our consideration of these cases. Refugees are admitted to the U.S. under established worldwide priorities. Family reunification is, since last year, the third ranking priority after those for persons who are of compelling concern to the U.S. and persons with U.S. Government employment histories.

Indochinese and other refugees are admitted as refugees, under any priority, because they meet the definition in the Refugee Act of 1980 and cannot enter under normal immigration procedures. Since most refugees accepted for U.S. admission cannot remain indefinitely and in their first-site, their situation is basically different from immigration visa applicants who wait for lengthy periods in the security of their homelands before quota numbers become available to permit their immigration to the U.S.

Although the United States traditionally places a high value on the integrity of families living together, whether or not they are fleeing persecution, refugee status is not a substitute for our usual immigration procedures and should not be viewed as one.

Question 2. You have stated that overall refugee admissions must be more closely related to the domestic resources available to resettle them. We certainly share this view, and it was reiterated today in a letter from Governor Bob Graham of Florida. As you are the official who ties the domestic and international sides of the issue together, I would ask what steps have been taken to assure that the fiscal year 1983 admissions levels are in fact tied to available appropriations? With this level of admissions, will states and counties be reimbursed 100 percent for costs attributed to refugees here 3 years or less?

Answer. An important part of our Administration's approach to our national refugee program has been a substantially improved effort to ensure that refugee admissions reflect adequate domestic resources for resettlement activities. This has been an integral aspect of our fiscal year 1983 refugee planning. Both the HHS and State De-

partment fiscal year 1983 budget reuests were coordinated to allow for the Administration's consultation request level.

The Department of Health and Human Services (HHS) is endeavoring to reduce domestic program costs through implementing a national refugee placement policy and new refugee medical and cash assistance regulations. The Department of State is undertaking a rigorous program to monitor and evaluate the effectiveness of their reception and placement grant of equal importance my office with HHS and State will be working intensely throughout the year to establish common expectations among both refugees and the Americans attempting to serve them regarding the priorities and the realities of our resettlement program. We are quite optimistic that our overseas English language and vocational programs will prepare refugees to move quickly and achieve self-sufficiency once they arrive in the U.S.

These ongoing initiatives should ensure that fiscal year 1983 refugee appropriations will be adequate to meet the needs of our proposed refugee admissions and resources throughout the year to assure that they remain in balance.

The Federal Government will reimburse State and counties 100 percent for the allowable costs of refugee cash and medical assistance incurred by eligible refugees during their first 36 months in the U.S.

Question 3. What is the position of the U.S. with regard to the advisability and the effectiveness of the policy of "humane deterrence" implemented by the Government of Thailand?

Answer. The continuing significant flow of refugees has presented a need on our part to find ways of dealing with the problem in a manner that meets our humanitarian and foreign policy objectives while taking cognizance of our own domestic resettlement budgetary constraints. In conjunction with our published policy of repatriation and regional resettlement, we are therefore examining ways of reducing the flow of refugees from the Indochinese countries.

With these concerns in mind, the U.S. Government supports in principle the "humane deterrence" program implemented by the Thai Government to discourage new arrivals. As seen by the reduced numbers, it has apparently been effective in reducing arrival rates, particularly from Laos and Vietnam. We believe that conditions in the Thai human deterrence camps while austere, are acceptable. We will continue to monitor these conditions closely.

Question 4. You have indicated that some leeway has been provided in establishing the figure of 68,000 administrations from Indochina because arrival rates may not continue to decline; because the Orderly Departure program may grow faster than anticipated; because we may have to admit larger numbers of Cambodians, and because the Amerasian legislation has not passed. What would be the realistic level for Indochinese admissions without these caveats? Why do we not just admit the lower figures, and then simply address these other situations, if they arise, through emergency consultations?

Answer. There is an essential act of informed judgement in arriving at the various regional levels under the overall annual admissions ceiling. For a variety of geopolitical reasons, some regions permit tighter estimates than others. When human lives are at stake or where vital U.S. foreign policy or security interests are involved, the benefit of the doubt goes to the middle or upper range of the estimate. It is the responsibility of the Executive Branch, and especially the responsibility of the Coordinator to make those judgments. I can reaffirm that an admissions ceiling of 68,000 is our judgment of the level which best serves the interests of the United States. It is a ceiling and not a quota. The Coordinator will attempt to hold the actual admissions to the lowest reasonable levels consistent with the U.S. guidelines, the protection of human life, and U.S. foreign policy and security interests.

Question 5. How many Cambodian refugees were admitted to the U.S. in fiscal year 1982? How many do you anticipate we will admit in fiscal year 1983?

Answer. Approximately 20,500 Khmer refugees have been admitted to the U.S. in the present fiscal year. If the President's decision on admissions, after consultations, is close to current planning figures, we anticipate the admissions to be less in fiscal year 1983. With only 21,000 Khmer in the camps right now it is possible the number could drop to 10,000.

Question 6. You have indicated that the declaration of martial law in Poland in December 1981 occurred at a time when approximately 200,000 Poles were in Western Europe. How many Poles have been resettled in the U.S.? How many additional Poles are being allowed to remain in the U.S. by the INS until the situation improves in their homeland?

Answer. During fiscal year 1982, approximately 6,800 Poles were resettled in the U.S. Extended voluntary departure status was granted to 6,000 Poles of whom some

3,500 are in Chicago. Asylum was granted to 67 Poles and 3,507 Poles have their applications for asylum pending.

Movement of Poles out of Poland is sharply restricted at the present time. There are still 8,900-9,000 Poles in Austria awaiting resettlement and we can expect about 4,900-5,000 to apply for admission to the United States. The military regime in Warsaw has indicated a willingness to permit some members of the Solidarity movement, particularly those who have been interned, to leave the country. The U.S. has instituted a program for INS interview in Frankfurt, Germany and these detainees and their families have begun to arrive in the U.S.

We hope to continue our program to provide resettlement in the United States for otherwise eligible political prisoners who have been interned in Poland because of their political activities with the Solidarity movement.

Question 7. You have stated that we assist the Palestinian refugees contributing financially to UNRWA, the U.N. Rehabilitation and Works Agency, and you state that, with individual exceptions, we would not expect to admit such persons to the U.S. What is the reason for this policy?

Answer. Our commitment to the welfare of the Palestinian refugee has been exhibited by successive administrations and is a major element in our international refugee financial support. The U.S. makes voluntary contributions to UNRWA in support of the agency's educational, health and relief programs for Palestinian refugees in the Near East. UNRWA is financed almost entirely by voluntary contributions from the international community.

In 1981 we contributed \$62 million out of \$171 million international pledges to UNRWA; our 1982 contribution to their regular fund was \$67 million and we have requested \$72 million for UNRWA in fiscal year 1983.

These funds are used to provide services to refugees in Lebanon, Syria, Jordan, Gaza and the West Bank.

It is our intention to maintain this support for UNRWA. We must, at the same time contribute to the increased needs of the Palestinian refugees and the Lebanese that has been brought about as a result of the recent hostilities in Lebanon. (\$16.5 million to UNRWA out of an emergency allocation of \$40 million for Lebanese relief. There is an additional allocation of \$65 million in housing guarantees and reconstruction being directed through AID.)

While maintaining our fiscal commitment to the program, Palestinian refugees have not been contemplated as part of our current domestic resettlement plans. We see any eventual resettlement as a Near East regional program.

Question 8. You have indicated that the administration supports internationalization of refugee assistance efforts. Yet, as I stated earlier, it would seem that the U.S. continues to bear most of the burden. What problems does the UNHCR face in improving the distribution of responsibility? What steps will the U.S. take in assuring that the UNHCR improves its record in this area during 1983?

Answer. In reviewing two of the basic components of the refugee program, care and maintenance, and resettlement, we see that the United States contributes from one quarter to one third of the cost of the UNHCR assistance programs. Other countries also contribute according to their abilities and the UNHCR, with the aid of the world community—has been able to respond to refugee requirements as they occur.

Concerning resettlement, the responsibility has fallen upon a few nations: Australia, Canada, France, and the United States. However, the primary resettlement burden has arisen from the Indochinese situation, which is located in a region that acts in a comparative abnormal manner from the rest of the world. Except for Asia, the other areas of the globe accept responsibility for refugees from the nations in their regions. Only when refugees cannot be resettled elsewhere does the United States consider the granting of refugee status in this country. As stated in our Report to Congress on the Proposed Refugee Admissions and Allocations for Fiscal Year 1983, the intake numbers are small for Africa, Latin America, Middle East, and Europe.

In regard to Asia, it has been my goal to disperse the burden among as many countries as possible. I have spoken on more than one occasion with UNHCR about the resettlement burden and in Europe. I have made clear the concerns of the Administration and those I have heard here on Capitol Hill that we expect the European governments to maintain if not increase their intake levels of Indochinese. I have twice visited Japan to call upon that country to contribute more toward care and maintenance and toward the costs of resettlement. I urged Japanese industry to assist through donations of equipment to the various resettlement programs. I am pleased to report that the Government of Japan has recently increased its contribution to the Kampuchean refugee program. I will continue to do everything I can to

urge the various members of the world community to do their fair share for both care and maintenance and resettlement.

Question 9. At your confirmation hearing, you indicated that you would be seeking to move the Office of the U.S. Coordinator for Refugee Affairs to the Executive Office of the President. Is this still your intention?

Answer. Yes it is. The Refugee Act of 1980 placed the Coordinator in the Executive Office of the President. As I have stated in previous testimony, that location is the most even handed and efficient one for dealing with the Departments of State, Justice and Health and Human Services; OMB; the Governors local officials as well as voluntary agencies. It further emphasizes our principal domestic orientation.

RESPONSES TO QUESTIONS SUBMITTED BY SENATOR ALAN K. SIMPSON TO ALAN C. NELSON

Question. We are pleased that the new case-by-case adjudication procedure has been implemented for refugees overseas. Yet we have heard reports that this procedure is not applied to the same degree for all refugees in all regions. For example, it has been stated that adjudication of Vietnamese refugees in Thailand is much more rigorous than in Malaysia. Are you familiar with these allegations? What steps have been taken to assure equity in application of these standards?

Answer. INS instructions to its field personnel require case-by-case adjudication in all refugee cases. Any reported variances of acceptance rates from location to location is explained by the fact that circumstances are not the same for all refugee groups. For instance processing in Thailand at this time primarily deals with Khmers while in Malaysia it is primarily Vietnamese.

A different set of factors are considered when adjudicating refugee claims of these two groups. Still other factors are considered in relation to the Eastern European nationalities.

As an added step to assure equity in application of general standards between all groups, INS is implementing an on-site training program for its overseas personnel. Instructions have already been given in Southeast Asia and in Europe aimed at gaining adjudicative consistency among our officers.

Question. How long does an average INS interview last? How many persons are assigned to this adjudication? Do you feel that the current procedures have created a bottleneck in terms of timely processing of Indochinese refugees out of camps?

Answer. Latest reports from Bangkok indicate each INS officer can complete approximately 11 cases a day. Each case involves an average of 4.5 individuals. From this information it is expected each officer can complete the processing of 50 persons a day. At present there are 4 officers stationed permanently in Bangkok and we are augmenting this with 3 detail officers from the States. Thus there are 7 officers available for processing of refugees. Allowing for lost time, travel time, etc., we expect 5 officers each processing 50 persons a day to complete 250 people a day or 1,250 per week. This adds up to 5,000 a month or 15,000 for October, November, and December. If additional processing is required we can increase these numbers through use of overtime or the assigning of additional detail officers.

Question. You have stated that asylum cases completed have doubled to 10,000 this year. How many were granted asylum? Of the rejections, how many appealed their decision?

Answer. INS estimated 10,000 completions during fiscal year 1982. Asylum applications completed from October 1981 through June 1982:

Completed	7,982
Granted	2,422
Denied (69.7 percent denial rate)	5,560

There is no appeal from the district director's denial of an asylum application, however the application may be renewed before an immigration judge in deportation hearings. The number of such cases so renewed is not known.

Question. How many new asylum petitions have been filed so far this year?

Answer. October 1 through June 1982—23,597

Question. How many asylees adjusted to permanent resident status this year?

Answer. October 1 through June 1982—1,113

Question. What is current policy with regard to Poles whose nonimmigrant visas have expired?

Answer. They are permitted to remain in the United States under deferred departure until December 31, 1982.

Senator SIMPSON. Then we have in the record a letter from the Secretary of State with regard to his inability to attend and his

commentaries and a letter from Senator Bob Dole, which will be entered into the record. Senator Kennedy, a ranking member of the Subcommittee on Refugee Policy may have some questions he may want to submit. There was a funeral service and floor activity that he was involved in.

So I thank you very much and we will look forward next to—I think we will have a hearing in April, consultation followup in April.

Mr. DOUGLAS. Nothing before?

Senator SIMPSON. You are a glutton for punishment.

Mr. DOUGLAS. Let the record show not before April.

Senator SIMPSON. Yes, we will be doing, of course—I will be submitting the \$64,000 question to you soon and you will go into the isolation booth after that but in April, we will have the Secretary of State and the Secretary of Health and Human Services and the Attorney General at a review session that will meet their schedules and I think that will be helpful, because I think each and every one of you has worked so hard to make it work and it will work if you pay close attention and keep pursuing it.

So thank you very much, and that will conclude the consultation.

[Whereupon, at 5:53 p.m., the subcommittee adjourned.]

APPENDIX

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20515

STROM THURMOND, S.C., CHAIRMAN

CHARLES MCC. MATHIAS, JR., MD.
PAUL LAKATY, NEV.
GERRIN G. HATCH, UTAH
ROBERT DOLE, KANS.
ALAN K. SIMPSON, WYO.
JOHN P. EAST, N.C.
CHARLES E. GRASSLEY, IOWA
JEREMIAH DENTON, ALA.
ARLEN SPECTER, PA.

JOSEPH R. BIDEN, JR., DEL.
EDWARD M. KENNEDY, MASS.
ROBERT C. BYRD, W. VA.
HOWARD M. METZENBAUM, OHIO
SERPIS CHOCOMA, ARIZ.
PATRICK J. LEAHY, VT.
MAX BAUCUS, MONT.
HOWELL HIFLUP, ALA.

SUBCOMMITTEE ON
IMMIGRATION AND REFUGEE POLICY

ALAN K. SIMPSON, WYO., CHAIRMAN
STROM THURMOND, S.C.
CHARLES E. GRASSLEY, IOWA
EDWARD M. KENNEDY, MASS.
SERPIS CHOCOMA, ARIZ.

RICHARD W. BAY, CHIEF COUNSEL AND STAFF DIRECTOR

VINTON DEVANE LEE, CHIEF COUNSEL

September 30, 1982

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The Members of the Committee on the Judiciary have now consulted with your representatives on refugee admissions for fiscal year 1983. We submit to you the response of the Committee on the proposed numbers of refugee admissions with our recommendations regarding the U.S. refugee program.

The Committee shares your commitment that our nation continue its traditional role of aiding those who flee persecution based on their race, religion, nationality, political opinion or social class and who are of special humanitarian concern to this country. We are proud of American leadership in refugee assistance and resettlement, and we believe it demonstrates far better than words our love of freedom and our desire to share this basic human right. Our leadership in offering generous assistance has set an example for other nations. The task of assisting refugees is not ours alone, and we must actively support the ongoing international efforts to help refugees around the world.

We appreciate the effort of the Administration, under the leadership of the U.S. Coordinator for Refugee Affairs, in proposing a ceiling that it feels reflects actual resettlement needs. We believe this year's annual review by the Administration of the refugee program, and its presentation to Congress, reflects well on your effort to manage the program more effectively, and you have our continuing support in this task.

Nevertheless, on the basis of the testimony we have received and on the information available to the Committee, we believe your proposed level of 98,000 refugee admissions for 1983 should be reduced. We believe that in at least two areas -- in the Southeast Asian and European refugee programs -- the projected numbers may not likely be required. Accordingly, the Members of this Committee recommend that the refugee admissions ceiling for 1983 be set at 90,000, a reduction of 8,000 from that proposed by the Administration.

While recommending a level of refugee admissions which we believe more accurately reflects the existing international refugee situation, we state clearly that we stand ready to alertly respond -- speedily and effectively -- in providing additional refugee resettlement opportunities under the emergency provisions of the Refugee Act in the event of unforeseen needs or developments.

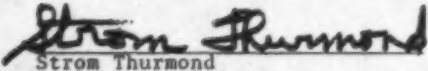
The Committee has not established any geographical distribution within the total figure of 90,000, preferring to leave such distribution to the discretion of the Administration in order to provide greater flexibility in meeting refugee needs. We wish to note that this figure for fiscal year 1983 does not address the growing numbers of persons who are seeking asylum in the United States during the same period.

Your representatives have assured us during the Consultation that the Administration has budgeted sufficient funding for the domestic resettlement program, and the Committee wishes to emphasize its belief that the federal government must accept fiscal responsibility for the resettlement of refugees in this country.

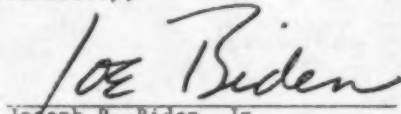
Again, Mr. President, we do wish to express our firm support for your efforts to join with others in the international community in responding to the urgent resettlement needs of refugees -- particularly those who are of special humanitarian concern to the United States.

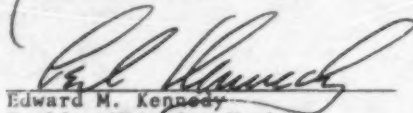
With best personal regards,

Sincerely,


Strom Thurmond
Chairman


Alan K. Simpson
Chairman, Subcommittee on
Immigration and Refugee
Policy


Joseph R. Biden, Jr.
Ranking Minority Member


Edward M. Kennedy
Ranking Minority Member
Subcommittee on Immigration
and Refugee Policy

THE WHITE HOUSE
WASHINGTON

October 4, 1982

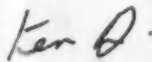
Dear Senator Simpson:

On behalf of the President, I would like to acknowledge and thank you for the letter which you and your colleagues cosigned on September 30 transmitting the Senate Judiciary Committee's response on the numbers of refugee admissions, with your recommendations regarding the U.S. refugee program.

This is to assure you that the President is giving careful consideration to the views which you and your colleagues have underscored. We appreciate having your recommendations and words of support for the Administration's efforts in this vital area.

With best wishes,

Sincerely,



Kenneth M. Duberstein
Assistant to the President

The Honorable Alan Simpson
Chairman
Subcommittee on Immigration
and Refugee Policy
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

PREPARED STATEMENT OF SENATOR EDWARD M. KENNEDY

One of the tragedies of our time is that refugees have become a permanent, worldwide phenomenon -- of countless men, women and children forced every year to leave their homes and lands for as many reasons as there are for the violence and repression among people and nations.

Almost daily, we see their sad, weary images on our televisions and in our newspapers. Whether they be the "boat people" fleeing the upheavals in Indochina, or the refugees in Southern Africa fleeing racism, or the victims of conflict in Central America, or Soviet minorities and Eastern Europeans seeking the promise of the Helsinki accords -- their plight is known to us. And America has responded.

We have a proud record of accomplishment in offering a helping hand to refugees, and I believe our national policy of welcome has served our country and our traditions well.

We are here this morning to consider once again what more we can do to help relieve the plight of refugees -- especially in offering resettlement opportunities to those homeless persons of special humanitarian concern to the United States under the terms of the Refugee Act of 1980.

The challenges we face around the globe have grown since our last consultation. New movements of refugees have occurred in Southwest Asia and in the Horn of Africa, and the flow of Indochinese persists. Conditions in countries under Soviet domination, especially Poland and Afghanistan, have deteriorated. In the Middle East, conflict and violence have escalated. And the recent tragedy in Lebanon cries out for urgent international action.

Obviously, the task of helping refugees is not ours alone. If real progress is to be made we must see continued international support of those agencies directly helping refugees -- particularly the Office of the U.N. High Commissioner for Refugees, the International Committee of the Red Cross, the U.N. Relief and Works Agency, UNICEF, and the many American voluntary agencies who are on the frontlines in our Nation's effort to provide assistance to refugees.

We must continue to take the leadership in offering generous assistance if we are to encourage other nations to do their part, especially in those countries acting as places of first asylum. We must continue to welcome refugees who have no other alternative but to seek third country resettlement. This is particularly urgent in Southeast Asia today, where Indochinese refugees will surely be pushed back to sea unless the international community maintains its effort in their behalf.

We should also open our door to other refugees of special concern to the American people -- to Soviet Jews and other Eastern Europeans, to Afghan and African refugees who have strong family or other ties to the United States, and to Latin American refugees, especially those from El Salvador who have a strong claim upon our attention and concern.

Finally, we must recognize that we can only begin to solve the problems of refugees by addressing them at their root causes. That means an effective diplomacy which resolves political problems through negotiation instead of further fueling conflicts -- such as in Southeast Asia and Central America today. And it means a global commitment to reduce the economic hardships that force peoples from their homes around the world.

I look forward to working with the Chairman and the Administration in responding to refugee needs, and in assuring that America's door remains open to a reasonable number of refugees.

THE SECRETARY OF STATE
WASHINGTON

September 27, 1982

Dear Mr. Chairman:

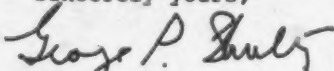
As we discussed in our telephone conversation, I attach great importance to the refugee programs and the foreign policy considerations on which they are based. America's efforts in the care and resettlement of refugees over the past several years reflect a remarkable record of achievement. Our country has traditionally been the leader in solutions to the world-wide refugee crisis, and I trust that this humanitarian concern will continue.

You and your colleagues in the Senate will hold hearings on a matter of great importance to the conduct of our foreign policy -- the refugee admissions ceilings for the coming fiscal year. From Africa through the Middle East and Southeast Asia to Central America, refugee pressures continue to exact a terrible cost in human suffering. For countries that offer the refuge of first asylum, the cost in political and economic burdens can be almost unbearable. These countries of refuge -- many in regions of key strategic interest to the United States -- look to us for assistance in resolving the international problem of mass refugee flows.

As you know, I will be in New York at the UNGA, but I will be represented by my close associate of many years and now my Deputy who will be Acting Secretary while I am away. I am sure you will find him an able representative, and you can be sure he speaks for me in all regards.

I regret that I will be unable to appear personally before your Committee on this occasion, as I would welcome the opportunity to discuss our program personally with your Members. I will look forward, however, to the Committee's mid-term consultation and the opportunity to appear personally on this important issue.

Sincerely yours,



George P. Shultz

The Honorable
Alan K. Simpson, Chairman,
Subcommittee on Immigration and Refugee Policy,
Committee on Judiciary,
United States Senate.

BOB DOLE
KANSAS

STANDING COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
FINANCE
JUDICIARY
RULES

United States Senate

WASHINGTON, D.C. 20510

September 29, 1982

The Honorable Strom Thurmond
Chairman, Judiciary Committee
United States Senate
209 Russell Office Building
Washington, D.C. 20510

Dear Strom:

In view of your consultations with the State Department on the admission levels for refugees in Fiscal Year 1983, I would like to express my particular concern about the situation of Cambodia refugees.

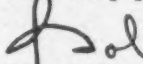
The continued operation of a refugee program should be of special importance for the United States, even in these financially hard-pressed times, as an expression of the high value we place on human life and safety and as a sign that the United States remains a haven of freedom for those who suffer political repression abroad.

Because of the anguish they have suffered in their homeland, the Cambodian people who have taken refuge in Thailand and elsewhere are a refugee group of special concern. They cannot risk their lives again by returning to Vietnamese-controlled Cambodia. Moreover, many of them have family members in the United States, a special humanitarian reason for making every effort to accept as refugees those Cambodians who have had to flee oppression in their homeland.

I therefore urge that every possible effort be made, in evaluating Cambodian refugees for admission to the United States within the levels established for the Southeast Asia region, to take account of the political conditions they would surely face if they were forced to return home, and to assess their refugee status accordingly.

I would like to ask that this letter be placed in the record of consultations with the State Department on refugee levels for Fiscal Year 1983.

Sincerely yours,



BOB DOLE
United States Senate

BD:ns:b